

FOR OFFICIAL USE ONLY-LAW ENFORCEMENT SENSITIVE
DEPARTMENT OF THE ARMY
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
PRISONER INTERROGATION TEAM (PIT)(CID)
75TH MILITARY POLICE DETACHMENT (-)
BAGHDAD CORRECTIONAL CONFINEMENT FACILITY
ABU GRAIB, IRAQ APO AE 09342

CIRB-PIT

24 AUG 04

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - 3D FINAL SUPPLEMENTAL -0013-04-
CID789-83982-5H6 / 5Y3

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 10 APRIL 2004/1930 HRS - 10 APRIL 2004/2130
HRS, HARDSITE, BAGHDAD CENTRAL CONFINEMENT FACILITY (BCCF), ABU
GHRAIB, IZ, GRID 38S MB130840
2. 11 APRIL 2004/0500 HRS - 11 APRIL 2004/0540 HRS, HARDSITE, BCCF

2. DATE/TIME REPORTED: 10 APRIL 2004, 2200

3. INVESTIGATED BY: SA 7C-1, b6-1, b2, SA 7C-1, b6-1, SA
7C-1 b6-1, b2, SA 7C-1 b6-1, b2

4. SUBJECT: 1. [CORRECTED] MAHMOOD, KHALID ABBAS (DECEASED); CIVILIAN;
PRISONER IDENTIFICATION NUMBER (PIN), TAS00012; UNKNOWN, IZ; M; WHITE;
DETAINEE; BCCF, ABU GHRAIB, IZ; (NFI); [RIOTING]

2. [CORRECTED] FARHAN, MUSA ABBAS (DECEASED); CIVILIAN; PIN
3153; UNKNOWN, IZ; M; WHITE; DETAINEE; BCCF; (NFI); [RIOTING]

3. NONE. (NFI); [JUSTIFIABLE HOMICIDE]

5. VICTIM: 1. U.S. GOVERNMENT; (301ST MILITARY POLICE COMPANY) [RIOTING]

2. U.S. GOVERNMENT; (K COMPANY, 3/24TH MARINE) [RIOTING]

3. [CORRECTED] MAHMOOD, KHALID ABBAS (DECEASED); CIVILIAN;
PIN TAS00012; UNKNOWN, IZ; M; WHITE; DETAINEE; BCCF; (NFI); [JUSTIFIABLE
HOMICIDE]

4. [CORRECTED] FARHAN, MUSA ABBAS (DECEASED); CIVILIAN; PIN
3153; UNKNOWN, IZ; M; WHITE; DETAINEE; BCCF; (NFI); [JUSTIFIABLE HOMICIDE]

THIS IS AN "OPERATION IRAQI FREEDOM" INVESTIGATION.

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01480

INVESTIGATIVE SUMMARY:

On 10 Mar 04, this office was notified by the 391st Military Police (MP) Battalion (Bn), Abu Ghryeb Prison, Abu Ghryeb, Iraq that Detainee HAMED, was shot and killed by MP guards and Detainee APOSS, was shot and killed by Marines when they escaped after rioting in tiers 5a and 5b of the Abu Ghryeb Prison Hardsite.

Investigation revealed between 10 Apr 04 and 11 Apr 04, Detainees MAHMOOD and FARHAN were killed while attempting to escape, during a riot at the Hardsite, BCCF.

STATUTES:

18 USC, SEC 1792: Rioting
Article 118, UCMJ: Murder (Justifiable Homicide)

EXHIBITS/SUBSTANTIATION:

ADDED ATTACHED:

8. AIR of SA 7C-1, bb-1 10 Aug 04, detailing a review of Detainee not in camp roster, administrative review of this investigation, and coordination with Arabic Linguist.
9. Database printout.
10. Handwritten Translation.
11. AIR of SA 7C-1, bb-1 23 Aug 04, detailing coordination with Coalition Provisional Authority, Hardsite, BCCF, Ministry of Justice, Hardsite, BCCF, Prison Health Unit, Hardsite, BCCF, 391st MP Bn, 301st MP CO, Magistrate Cell and BCCF Hospital.
12. CPA Database printout.
13. Ledger Entry, Iraqi Corrections Services, Ministry of Justice.
14. Significant Incident Report, 10 Apr 04.
15. Ledger Translation.
16. Packet containing incident reports, 301st MP CO.
17. Compact Disc, 001304.789.

ADDED NOT ATTACHED:

None.

The originals of Exhibits 8 and 10 are maintained in the files of the Detainee Assessment Task Force (DATF), USACIDC. The original of Exhibit 9 is maintained in the files of Detainee Operations, MNC-I. The originals of Exhibit 11, 15 and 17 are attached to the USACRC copy of this report. The original of Exhibit 12 is maintained in the files of CPA, BCCF. The original of Exhibit 13 is maintained in the files of Legal Services, Ministry of Justice, BCCF. The original of Exhibit 14 is maintained in the files of the 391st MP Bn, Abu Ghraib, IZ. The original of Exhibit 16 is maintained in the files of the 301st MP CO, Abu Ghraib, IZ.

Status: This is a Final Supplemental Report. Commander's Report of Disciplinary Action (DA Form 4833) is not needed.

Report Approved By: _____

7C-7, 66-1

CW2, MP

Special Agent in Charge

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DEPARTMENT OF THE ARMY
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
PRISONER INTERROGATION TEAM (PIT)(CID)
75TH MILITARY POLICE DETACHMENT (-)
BAGHDAD CENTRAL CONFINEMENT FACILITY
APO AE 09342

CIRD-PIT

21 JUN 04

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - 2D FINAL SUPPLEMENTAL-
0013-04-CID789-83982-5H6-5Y3

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 10 APR 04/1930 - 11 APR 04/0540, BAGHDAD CENTRAL
CONFINEMENT FACILITY (BCCF), ABU GHRUYEB, IRAQ

DATE/TIME REPORTED: 11 APR 2004, 0600

INVESTIGATED BY: SA *TC-1, bb-1, b2* SA *TC-1, bb-1 b2*
SA

SUBJECT: 1. HAMED, ABBAS KHALID (DECEASED); CIVILIAN; INTERNMENT
SERIAL NUMBER (ISN) 26162; UNKNOWN, IZ; M; WHITE; DETAINEE; BCCF,
ABU GHRUYEB, IZ; ZZ (NFI)[RIOTING]

2. APOSS, KNALED (DECEASED); CIVILIAN; PRISONER
IDENTIFICATION NUMBER (PIN) 000012; UNKNOWN, IZ; M; WHITE,
DETAINEE; BCCF, ABU GHRUYEB, IZ; ZZ (NFI) [RIOTING]

3. NONE. (NFI) [JUSTIFIABLE HOMICIDE]

5. VICTIM: 1. U.S. GOVERNMENT; (301ST MILITARY POLICE COMPANY
(USAR), BCCF, ABU GHRUYEB, IZ) (SAN JUAN, PR) [RIOTING]

2. U.S. GOVERNMENT; (K COMPANY, 3/24TH MARINES, BCCF,
ABU GHRUYEB, IZ) (CAMP PENDLETON, CA) [RIOTING]

3. HAMED, ABBAS KHALID (DECEASED); CIVILIAN; ISN 26162;
UNKNOWN, IZ; M; WHITE; DETAINEE; BCCF, ABU GHRUYEB, IZ; ZZ (NFI)
[JUSTIFIABLE HOMICIDE]

4. APOSS, KNALED (DECEASED); CIVILIAN; PIN 000012;
UNKNOWN, IZ; M; WHITE. DETAINEE; BCCF, ABU GHRUYEB, IZ; ZZ (NFI)
[JUSTIFIABLE HOMICIDE]

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01483

INVESTIGATIVE SUMMARY:

THIS IS AN "OPERATION IRAQI FREEDOM" INVESTIGATION.

This investigation was initiated upon notification by the 391st MP BBN, BCCF that a riot took place in Tiers 5A and 5B of the BCCF. During the riot, Detainee HAMED was shot and killed by SPC *7C-4, 66-4* 301st MP Company, BCCF, Abu Ghryeb and Detainee APOSS was shot and killed by LCPL *7C-4, 66-4* *7C-4, 66-4* Company, 3/24th Marines, BCCF, Abu Ghryeb.

Investigation established probable cause to believe Detainee APOSS and HAMED committed the offense of Rioting when they caused a commotion in the BCCF. The shooting of both detainees was justifiable and no criminal offenses were committed by either SPC *7C-4* or LCPL *7C, 66-4*

STATUTES:

18 USC, SEC 1792: RIOTING
Article 118, UCMJ: MURDER (JUSTIFIABLE HOMICIDE)

EXHIBITS/SUBSTANTIATION:

ADDED ATTACHED:

6. AIR of SA *7C1, 66-4* 7 Jun 04, detailing coordination and attempts to obtain death certificates pertaining to both detainees.

7. Certificate of Death, unsigned, pertaining to Detainee HAMED.

ADDED NOT ATTACHED:

None

The originals of Exhibits 6 and 7 are attached to the USACRC copy of this report.

STATUS: This is a Final Supplemental Report. This investigation was being terminated IAW CIDR 195-1, para 4-17 (a)(6) in that the Special Agent in Charge determined that furtherance of the investigation would be of little or no value and leads remaining are insignificant. Commander's Report of Disciplinary Action Taken (DA Form 4833) is not required.

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01484

Report Prepared/Approved By:

7C-1, 66-1

Special Agent in Charge

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TO: CDR, 3rd MP Group (CID)
- 1 - LNO, CID, CJTF-7 (For further distribution) (email only)
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- 1 - CDR, 16th Military Police Brigade (ATTN: COL 7C-3, 66-3 Victory Camp, APO AE 09342
- 1 - CDR, 391st MP BN (ATTN: LTC 7C, 66-3 BCCF
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01485

DEPARTMENT OF THE ARMY
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
PRISONER INTERROGATION TEAM (PIT)(CID)
75TH MILITARY POLICE DETACHMENT (-)
BAGHDAD CORRECTIONAL CONFINEMENT FACILITY
APO AE 09342

CIRD-PIT

26 APR 04

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL SUPPLEMENTAL -0013-
04-CID789-83982-5H6-5Y3

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 10 APR 04/1930 - 11 APR 04/0540, BAGHDAD CORRECTIONAL
CONFINEMENT FACILITY (BCCF), ABU GHRUYEB, IRAQ

DATE/TIME REPORTED: 11 APR 2004, 0600

INVESTIGATED BY: SA *7C-1, 66-1* *b2* SA *7C-1, 66-1*
SA *7C-1, 66-1* *b2*

SUBJECT: 1. HAMED, ABBAS KHALID (DECEASED); CIV; INTERNMENT
SERIAL NUMBER (ISN) 26162; UNKNOWN, IZ; M; WHITE; DETAINEE; BCCF.
ABU GHRUYEB, IZ; ZZ (NFI)[RIOTING]

2. APOSS, KNALED (DECEASED); CIV; PRISONER
IDENTIFICATION NUMBER (PIN) 000012; UNKNOWN, IZ; M; WHITE.
DETAINEE; BCCF, ABU GHRUYEB, IZ; ZZ (NFI) [RIOTING]

3. NONE. (NFI) [JUSTIFIABLE HOMICIDE]

VICTIM: 1. U.S. GOVERNMENT; (301ST MILITARY POLICE COMPANY
(USAR), BCCF, ABU GHRUYEB, IZ) (SAN JUAN, PR) [RIOTING]

2. U.S. GOVERNMENT; (K COMPANY, 3/24TH MARINES, BCCF,
ABU GHRUYEB, IZ) (CAMP PENDLETON, CA) [RIOTING]

3. HAMED, ABBAS KHALID (DECEASED); CIV; INTERNMENT
SERIAL NUMBER (ISN) 26162; UNKNOWN, IZ; M; WHITE; DETAINEE; BCCF.
ABU GHRUYEB, IZ; ZZ (NFI) [JUSTIFIABLE HOMICIDE]

4. APOSS, KNALED (DECEASED); CIV; PRISONER
IDENTIFICATION NUMBER (PIN) 000012; UNKNOWN, IZ; M; WHITE.
DETAINEE; BCCF, ABU GHRUYEB, IZ; ZZ (NFI) [JUSTIFIABLE HOMICIDE]

01486

INVESTIGATIVE SUMMARY: THE INFORMATION IN THIS REPORT IS BASED UPON AN ALLEGATION OR PRELIMINARY INVESTIGATION AND MAY CHANGE PRIOR TO THE COMPLETION OF THE INVESTIGATION.

"THIS IS AN OPERATION IRAQI FREEDOM INVESTIGATION"

This investigation was initiated upon notification by the 391st Military Police (MP) Battalion (BN), BCCF, Abu Ghryeb, Iraq that a riot took place in Tiers 5A and 5B of the BCCF. During the riot, Detainee HAMED, was shot and killed by SPC ~~7C-4, 66-4~~ ~~7C-4, 66-4~~ 01ST MP Company, BCCF, Abu Ghryeb, Iraq and Detainee APOSS was shot and killed by LCPL ~~7C-4, 66-4~~ K Company, 3/24TH Marines, Abu Ghryeb, Iraq.

Investigation established probable cause to believe Detainees APOSS and HAMED committed the offense of Rioting when they caused a commotion in the BCCF resulting in the use of force by responding Military Police. The shooting of both detainees' was justifiable and no criminal offenses were committed by either SPC ~~7C-4, 66-4~~ or LCPL

STATUTES:

18 USC, SEC 1792: RIOTING
Article 118, UCMJ: MURDER (JUSTIFIABLE HOMICIDE)

EXHIBITS/SUBSTANTIATION:

ADDED ATTACHED:

None.

ADDED NOT ATTACHED:

None.

STATUS: This is a Final Supplemental Report. Commander's Report of Disciplinary Action Taken (DA Form 4833) is not required.

Report Prepared By:

7C-1, 66-1

02

Report Approved By:

7C-1, 66-1

Special Agent in Charge

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- 1 - LNO, CID, CJTF-7 (For further distribution) (email only)
- 1 - SJA, 504th MI Brigade (ATTN: CPT ~~7C3, b6-3~~ BCF
- 1 - CDR, 16th Military Police Brigade (ATTN: COL ~~7C3, b6-3~~), Victory Camp, APO AE 09342
- 1 - CDR, K Company, 3/24th Marines, BCCF
- 1 - CDR, 391st MP BN (ATTN: LTC ~~7C3, b6-3~~ BCCF
- 1 - File

DEPARTMENT OF THE ARMY
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
PRISONER INTERROGATION TEAM (PIT)(CID)
75TH MILITARY POLICE DETACHMENT (-)
BAGHDAD CORRECTIONAL CONFINEMENT FACILITY
APO AE 09342

CIRD-PIT

22 APR 04

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - 1ST SUPPLEMENTAL -SSI-0013-04-CID789-83982-5H6-5Y3

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 20 APR 04/1930 - 11 APR 04/0540, BAGHDAD CORRECTIONAL CONFINEMENT FACILITY (BCCF), ABU GHRUYEB, IRAQ

2. DATE/TIME REPORTED: 11 APR 2004, 0600

3. INVESTIGATED BY: SA *7C-1, 66-1* *62 SA* *7C-1, 66-1*
62 SA

4. SUBJECT: 1. [CORRECTED] HAMED, ABBAS KHALID (DECEASED);
INTERNMENT SERIAL NUMBER (ISN) 26162; UNKNOWN, IZ; M; WHITE;
DETAINEE; BCCF, ABU GHRUYEB, IZ; ZZ (NFI)[RIOTING]

2. [CORRECTED] APOSS, KNALED (DECEASED); PRISONER
IDENTIFICATION NUMBER (PIN) 000012; UNKNOWN, IZ; M; WHITE,
DETAINEE; BCCF, ABU GHRUYEB, IZ; ZZ (NFI) [RIOTING]

3. [CORRECTED] UNKNOWN. (NFI) [JUSTIFIABLE HOMICIDE]

5. VICTIM: 1. [CORRECTED] U.S. GOVERNMENT; (301ST MILITARY POLICE
COMPANY (USAR), BCCF, ABU GHRUYEB, IZ) (SAN JUAN, PR) [RIOTING]

2. [CORRECTED] U.S. GOVERNMENT; (K COMPANY, 3/24TH
MARINES, BCCF, ABU GHRUYEB, IZ) (CAMP PENDLETON, CA) [RIOTING]

3. [CORRECTED] HAMED, ABBAS KHALID (DECEASED);
INTERNMENT SERIAL NUMBER (ISN) 26162; UNKNOWN, IZ; M; WHITE;
DETAINEE; BCCF, ABU GHRUYEB, IZ; ZZ (NFI) [JUSTIFIABLE HOMICIDE]

10

01489

4. [CORRECTED] APOSS, KNALED (DECEASED); PRISONER IDENTIFICATION NUMBER (PIN) 000012; UNKNOWN, IZ; M; WHITE, DETAINEE; BCCF, ABU GHRUYEB, IZ; ZZ (NFI) [JUSTIFIABLE HOMICIDE]

6. INVESTIGATIVE SUMMARY: THE INFORMATION IN THIS REPORT IS BASED UPON AN ALLEGATION OR PRELIMINARY INVESTIGATION AND MAY CHANGE PRIOR TO THE COMPLETION OF THE INVESTIGATION.

"THIS IS AN OPERATION IRAQI FREEDOM INVESTIGATION"

ON 11 APR 04, THIS OFFICE WAS NOTIFIED BY THE 391ST MILITARY POLICE (MP) BATTALION (BN), ABU GHRUYEB PRISON, ABU GHRUYEB, IRAQ THAT DETAINEE HAMED, WAS SHOT AND KILLED BY MP GUARDS AND DETAINEE APOSS, WAS SHOT AND KILLED BY MARINES WHEN THEY ESCAPED AFTER RIOTING IN TIERS 5A AND 5B OF THE ABU GHRUYEB PRISON HARDSITE.

1ST SUPPLEMENTAL:

THIS SUPPLEMENTAL REPORT IS BEING GENERATED TO ADD HAMED AND APOSS AS VICTIMS, ADD AN UNKNOWN SUBJECT FOR THE OFFENSE OF JUSTIFIABLE HOMICIDE AND CLARIFY OFFENSES.

ON 21 APR 04, AN ADMINISTRATIVE REVIEW REVEALED HAMED AND APOSS SHOULD HAVE BEEN LISTED AS A VICTIM FOR THE OFFENSE OF JUSTIFIABLE HOMICIDE.

INITIAL REPORT:

PRELIMINARY INVESTIGATION REVEALED A RIOT BEGAN IN TIER 5B OF THE ABU GHRUYEB PRISON HARDSITE AND MP GUARDS SET UP A PERIMETER ON THE OUTSIDE OF TIER 5B. WITHIN TIER 5B THE PRISONERS HAD BROKEN THEIR THE LOCKS TO THEIR CELLS AND WERE THROWING ROCKS AND METAL PIPES AT THE MILITARY POLICE GUARDS. ALL MEMEBERS IF THE GUARD FORCE WERE BRIEFED ON THE RULES OF ENGAGEMENT (ROE) AUTHORIZING THE USE OF DEADLY FORCE. MULTIPLE ATTEMPTS WERE MADE TO STOP THE RIOT UTILIZING VERBAL PERSUASION AND WITH LESS THEN LETHAL MUNITIONS. DETAINEE HAMED THEN JUMPED THROUGH A WINDOW AND WAS ORDERED TO HALT THREE TIMES BY MILITARY POLICE PERSONNEL. DETAINEE THEN ATTEMPTED TO RUN AND SPC 7C-4 , 56-4 301ST MP COMPANY, ABU GHRUYEB, IRAQ. ENGAGED DETAINEE HAMED WITH ONE ROUND OF BUCKSHOT STRIKING HIM IN THE BACK.

LATER THAT EVENING, IN TIER 5A OF THE ABU GHRUYEB PRISON HARDSITE, FIFTEEN DETAINEES ESCAPED OUTSIDE OF THE TEIR. DURING

THE ESCAPE, U.S. MARINES RE-CAPTUREED FOURTEEN OF THE DETAINEES. WHILE THE MARINES WERE COLLECTING THE ESCAPED DETAINEE'S, A GUN SHOT WAS HEARD. DETAINEE APOSS WAS ATTEMPTING TO FLEE THE PRISON BY CRAWLING ON THE GROUND TOWARD AN EXIT. LCPL 7C-4, 100-4 K COMPANY, 3/24TH MARINE, ABU GHRUYEB, IRAQ, IDENTIFIED DETAINEE APOSS CRAWLING ON THE GROUND AND ENGAGED HIM WITH ONE ROUND OF 5.56MM IN ACCORDANCE WITH THE ROE, STRIKING HIM IN THE UPPER SHOULDER.

AT THE WRITING OF THIS REPORT, THE EXACT TIMES OF DEATH WERE UNKNOWN OR IF AUTOPSY'S WILL BE CONDUCTED ON THE DECEASED DETAINEES.

SA 7C-1, 100-1 ADVISED SPC 7C-4, 100-4 OF HIS LEGAL RIGHTS, WHICH HE WAIVED AND PROVIDED A WRITTEN STATEMENT WHICH DETAILED THE EVENTS SURROUNDING AND HIS ACTIONS DURING THE SHOOTING OF THE DETAINEE. SPC 7C-4, 100-4 STATED HE SHOT THE DETAINEE (HAMED) TO PROTECT THE OTHER MP PERSONNEL AND TO PREVENT DETAINEE (HAMED) FROM ESCAPING.

SA 7C-1, 100-1 ADVISED LCPL 7C-4, 100-4 OF HIS LEGAL RIGHTS, WHICH HE WAIVED AND RENDERED A SWORN STATEMENT WHICH HE DETAILED THE EVENTS SURROUNDING AND HIS ACTIONS DURING THE SHOOTING OF THE DETAINEE. LCPL 7C-4, 100-4 STATED HE SHOT THE DETAINEE (APOSS) TO PROTECT FELLOW MARINES AND TO PREVENT DETAINEE (APOSS) FROM ESCAPING.

THE OCONUS CID CASUALTY LIASON OFFICER (CLO) IS SA 7C-1, 100-1 75TH MP DETACHMENT (CID), PRISON INTERROGATION TEAM (PIT), ABU GHRUYEB PRISON, ABU GHRUYEB, IRAQ, AT DNV 318-550-

INVESTIGATION CONTINUES BY USACIDC.

7. CID REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF PROTECTIVE MARKING IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

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DEPARTMENT OF THE ARMY
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
PRISONER INTERROGATION TEAM (PIT)(CID)
75TH MILITARY POLICE DETACHMENT (-)
BAGHDAD CORRECTIONAL CONFINEMENT FACILITY
APO AE 09342

CIRD-PIT

16 APR 04

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL (C) - SSI-0013-04-CID789-83982-5H6-5Y3

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 10 APRIL 04/1930 - 11 APRIL 04/0540, BAGHDAD CORRECTIONAL AND CONFINEMENT FACILITY (BCCF), ABU GHRUYEB, IZ

DATE/TIME REPORTED: 11 APRIL 04, 0600

INVESTIGATED BY: SA *7C-1, 106-1* by SA *7C-1, 106-1* *b2*
SA *7C-1, 106-1* *b2*

SUBJECT: 1. HAMED, ABBAS KHALID (DECEASED); INTERNMENT SERIAL NUMBER (ISN) 26162; 01 JAN 1986; UNKNOWN, IZ; M; WHITE; DETAINEE; BCCF, ABU GHRUYEB, IZ; ZZ (NFI) [RIOTING][JUSTIFIABLE HOMICIDE]

2. APOSS, KNALED (DECEASED); PRISONER IDENTIFICATION NUMBER (PIN 000012); UNKNOWN, IZ; M; WHITE, DETAINEE; BCCF, ABU GHRUYEB, IZ; ZZ (NFI) [RIOTING] [JUSTIFIABLE HOMICIDE]

VICTIM: 1. U.S. GOVERNMENT; (301ST MILITARY POLICE COMPANY, (USAR), BCCF, ABU GHRUYEB, IZ) (FORT BUCHANAN, PR) [RIOTING] [JUSTIFIABLE HOMICIDE]

2. U.S. GOVERNMENT; (K COMPANY, 3/24TH MARINES, BCCF, ABU GHRUYEB, IZ) (CAMP PENDLETON, CA) [RIOTING] [JUSTIFIABLE HOMICIDE]

INVESTIGATIVE SUMMARY:

"THIS IS AN OPERATION IRAQI FREEDOM INVESTIGATION"

This investigation was initiated upon notification by the 391st Military Police Battalion, BCCF, Abu Ghruyeb, IZ that a riot took place in Tiers 5A and 5B of the BCCF. During the riot, detainee HAMED was shot and killed by SPC *7C-4, 106-4*

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01492

301st MP CO, BCCF and detainee APOSS was shot by LCPL 7C4, b6
7C, b6-4 X Company, 3/24th Marines, BCCF.

Investigation established probable cause to believe the shootings of both detainees was justifiable and neither SPC 7C, b6-4 nor LCPL 7C4, b6 committed any criminal offenses.

STATUTES:

18 USC, SEC 1792: RIOTING
Article 118, UCMJ: MURDER (JUSTIFIABLE HOMICIDE)

EXHIBITS/SUBSTANTIATION:

ATTACHED:

1. Agent's Investigation Report (AIR) of SA 7C-1 b6-1 12 Apr 04, detailing initial notification; interviews; and command coordination.
2. Waiver Certificate and Sworn Statement of LCPL 7C4, b6-4 11 Apr 04, wherein he details the shooting of the detainee.
3. Waiver Certificate and Sworn Statement of SPC 7C4, b6-4 10 Apr 04, wherein he details the shooting of the detainee.
4. AIR of SA 7C-1, b6-1 13 Apr 04, detailing interviews; command and SJA coordination.
5. Compact Disc 040013.789, containing images of both deceased detainees. (USACRC and File copies only)

NOT ATTACHED:

None.

The originals of Exhibits 1 through 5 were attached to the USACRC copy of this report.

STATUS: This is a Final (C) Report. This investigation is being terminated IAW CIDR 195-1, Chapter 4-17(a)(6) in that the Special Agent-in-Charge determined that furtherance of the investigation would be of little or no value and leads remaining are insignificant. Commander's Report of Disciplinary Action Taken (DA Form 4833) is not required.

LEADS REMAINING: Interview of remaining MP's who were involved in quelling the riot.

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Report Prepared By:

Report Approved By:

7C-1
b6-1

7C-1
b6-1

b2

Special Agent in Charge

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- 1 - CDR, 3rd MP Group (CID) (email only)
- 1 - LNO, CID, CJTF-7 (For further distribution) (email only)
- 1 - SJA, 504th MI Brigade (ATTN: CPT 7C-3, b6-3, BCCF)
- 1 - CDR, 16th Military Police Brigade (ATTN: COL 7C-3 b6-3), Victory Camp, APO AE 09342
- 1 - CDR, 391st MP BN (ATTN: LTC 7C-3, b6-3 BCCF)
- 1 - CDR, K Company, 3/24th Marines, BCCF
- 1 - File

FOR OFFICIAL USE ONLY

AGENT'S INVESTIGATION REPORT

ROI NUMBER

0013-04-CID789- 83982

CID Regulation 195-1

PAGE 1 OF 1 PAGES

Details

BASIS FOR INVESTIGATION: About 0600, 11 Apr 04, this office was notified by the 391st Military Police (MP) Battalion, Abu Ghryeb, Iraq (AGI) that another detainee was shot and killed while trying to escape.

About 0703, 11 Apr 04, SA *TC-1, bb-1* interviewed LCPL *TC-4, bb-4* K Company 3/24 Marines, AGI. *TC-4* was advised of his legal rights, which he waived and provided a sworn statement detailing his actions. *TC-4, bb-4* stated that he shot the detainee to protect his position and to keep the detainee from escaping in accordance with the Rules of Engagement (ROE) that he was briefed. (See Waiver and Sworn Statement of *TC-4, bb-4*).

About 0810, 11 Apr 04, SA *TC-1, bb-1* interviewed SGT *TC-4, bb-4*, K Company 3/24 Marines, AGI, who provided a verbal statement regarding the incident. *TC-4, bb-4* stated he was the Sergeant of the Guard (SOG) for the midnight shift. *TC-4, bb-4* stated he had to post the shift early as there was a report of escaped detainees loose inside the compound. While posting the shift, they encountered and detained 13 detainees who had escaped. *TC-4, bb-4* stated he briefed his personnel on the use of deadly force. *TC-4, bb-4* stated he told the Marines use of deadly force was authorized if Marines or Coalition Forces were threatened or in fear of grievous bodily harm. *TC-4, bb-4* stated the Marines were also briefed by an Army sergeant (NFI) that deadly force was authorized to capture detainees who had escaped from the hardsite. *TC-4, bb-4* stated after posting his Marines, there was a shot(s) fired from an undetermined location inside the compound, and there was still one escaped detainee unaccounted for inside the compound. *TC-4, bb-4* stated everyone was at a heightened state of alert.

About 0830, 11 Apr 04, SA *TC-1, bb-1* briefed CPT *TC-4* Executive Officer, K Company 3/24 Marines, AGI, on the status of this investigation. *bb-4* stated his Marines are trained and empowered to make decision regarding use of force on the spot. *TC-4, bb-4* stated the Marines are not expect or required to call requesting permission to use deadly force.

About 1000, 11 Apr 04, SA *TC-1, bb-1* coordinated with SSG *TC-4* *bb-4* 301st MP Company, AGI, who was the Hard site Shift NCOIC. SSG *TC-4* stated a review of the pass-on book disclosed the deceased detainee was Khaled APOSS, #TAS00012, Tier 5A Cell 227, (NFI). SSG *TC-4, bb-4* stated the Coalition Provisional Authority (CPA) maintained all of the prisoner files, and there were no additional information available at the hardsite.

About 1030, 11 Apr 04, SA *TC-1, bb-1* interviewed LCPL *TC-4, bb-4* K Company 3/24 Marines, AGI, who provided a verbal statement regarding the incident. *TC-4, bb-4* stated about 0400, 11 Apr 04, they were notified that there were escaped detainees loose in the compound. *TC-4, bb-4* stated they captured 13 of the 14 detainees prior to taking their post at Tower 3. *TC-4, bb-4* stated they heard a report from Tower 4 of activity in the vicinity of the tower, then heard a report of shot(s) fired. *TC-4, bb-4* stated they (he and *TC-4*) believed the reports were related, and they feared the escaped detainee may have taken a weapon. *TC-4* stated *TC-4, bb-4* saw the detainee low crawling towards their position. *TC-4* stated *TC-4, bb-4* fired at the detainee once, believing the detainee was a threat. // LAST ENTRY //

TY

S.

SI

*TC-1**bb-1**bb-4*

ORGANIZATION

22ND MP BN (CID), FORT LEWIS, WA 98433

DATE

DATE 12 APR 04

EXHIBIT

1

CID FORM 104

1 FEB 77

PROTECTIVE MARKINGS IS EXCLUDED FROM
AUTOMATIC TERMINATION (Para 13, AR 340-16)
(When Data is Entered)

PREVIOUS EDITIONS OF THIS FORM
WILL BE USED UNTIL EXHAUSTED

01495

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY:

Title 10, United States Code, Section 3012(g)

PRINCIPAL PURPOSE:

To provide commanders and law enforcement officials with means by which information may be accurately identified.

ROUTINE USES:

Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval

DISCLOSURE:

Disclosure of your Social Security Number is voluntary.

1 LOCATION

Abu Ghruyeb Prison, Abu Ghruyeb, Iraq

2 DATE

11 Apr 04

3 TIME

0705

4 FILE NUMBER

5 Name (Last First MI)

7C-4, bb-4

8 ORGANIZATION OR ADDRESS

K, 3/24 Marines, Abu Ghruyeb, Iraq

6 SSN

7C-4, bb-4

7 GRADE/STATUS

LCPL

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command and wanted to question me about the following offense(s) of which I am suspected/accused Murder 7C, bb-4

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

1. I do not have to answer any questions or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both.

-or-

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have the right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

SECTION B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present.

WITNESSES (if available)

7C-4, bb-4

SIGNATURE OF INTERVIEWEE

7C-4, bb-4

6 ORGANIZATION OR ADDRESS AND PHONE

K, 3/24 Marines

2a NAME (Type or Print)

7C-1, bb-1

6 ORGANIZATION OR ADDRESS AND PHONE

Prison Interrogation Team
Abu Ghruyeb, Iraq

SECTION C. Non-waiver

1. I do not want to give up my rights
☐ I want a lawyer
☐ I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

SWORN STATEMENT

File Number:

Location: Abu Ghryeb Prison, Abu Ghryeb, Iraq

Date: 11 Apr 04

Time: 0800 7C, 66-4

Statement of:

7C-4, 66-4

SSN: 7C-4, 66-4

Grade/Status: LCPL

Org/Address: K 3/24 Marines, Abu Ghryeb, Iraq

7C-4, 66-4, want to make the following statement under oath: I am a Marine reservist on active duty. I am assigned to K 3/24 Marines, Abu Ghryeb Prison, Iraq. About 0400, 11 Apr 04, I enroute to post for my shift as a tower guard, providing exterior security for the prison. When we got to Tower 1A, there was a call over the radio from Shadow Main that 14 detainees had escaped and were loose on the compound. Immediately after that, Tower 3 called on the radio and stated that there were detainees at there location. We responded to Tower 3, which was the next tower we were posting to. Enroute to Tower 3, we found two detainees which we captured. The detainees surrendered to us when we instructed them to halt and get on the ground. The SOG (Sergeant of the Guard) stayed with the captured detainees, while the remainder of us went to Tower 3. When we got to the tower, and the Army guards had already captured two other detainees. We cordoned off the area, swept through the area, and captured 9 additional detainees. We then continued to post (at our respective towers). I posted at Tower 3. After posting, Shadow Main radioed that they were still missing one escaped detainee. About 30 minutes to 1 hour later, there was a report of shots fired over the radio. Shadow Main asked ECP (Entry Control Point) East and West, and towers 5 and 6 to try to pin-point the location the shots were fired from. It was determined that the shots came from northeast of ECP East, which is in the direction of Tower 3. About 5 minutes later, the SOG came by my position, Tower 3, and told us, LCP 7C, 66-4 and I, to be on the look-out for the escaped detainee.

7C, 66-4 kept watch outside the compound and I kept watch inside the compound using ANPVS7B night vision goggles. Within 5 minutes, I spotted the detainee, who was crawling towards my position and the road. He was coming towards me at about 50 meters (inside the wall). It was black and the image was blurry. I tried but couldn't see if he had a weapon or not. I was afraid that the escaped detainee may have had a weapon and may have fired the shots earlier. I was afraid that the detainee might shoot me or 7C, 66-4 in order get past our position. I knew from previous briefings that deadly force was authorized for anyone threatening a Marine. Also, an Army Sergeant told us earlier that night that deadly force was authorized to stop an escape or escaped detainee once they left the hard site. The detainee appeared to be in a prone position. I didn't have time to think, I just shot to protect myself and 7C, 66-4 I shot one time with my assigned M16A4, serial number 10127837, stock number 15, using the ammunition I was issued. I maintained my position and kept the detainee in my sights, while 7C, 66-4 radio Shadow Main for further assistance.

Q: What if any briefings did you receive prior to assuming your duties on 11 Apr 04?

A: Prior to posting, we were briefed that there was intelligence that there was supposed to be an attack; the prisoners were to riot, escape, get weapons; and take over the compound.

Q: Who gave you the intelligence briefing?

A: CPI, 7C, 66-4, K 3/24 Marines. 7C, 66-4

INITIALS 7C, 66-4

FOR OFFICIAL USE ONLY

Page 1 of 2

EXHIBIT 2

01497

STATEMENT OF: LCPL

7C-4, b6-4

DATED: 11 Apr 04

CASE #:

7C-4
Q: Were you briefed on the Rules of Engagement (ROE) prior to assuming your duties on 11 Apr 04?

A: Yes. I was told that I was allowed to protect myself or a member of the Coalition Forces if threatened with deadly force, which I believed I was. Also I was told that if the detainees were on the fence or outside the fence (around the hard site) that deadly force was authorized, which the detainee was outside that area and quite a distance from that fence. Additionally, the Army Sergeant who was responsible for getting the detainees also told me during my shift that deadly force was authorized to stop the escaped detainees.

Q: Who gave you the ROE briefing?

A: The Sergeant of the Guard, SGT. 7C-4, b6-4 K 3/24 Marines.

Q: Do you have anything to add to this statement?

A: No. ///END OF STATEMENT// 7C-4, b6-4

7C-4, b6-4
I, _____ AFFIDAVIT
HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

7C-4, b6-4
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 11th day of April 2004 at
At: Chuquib, Iran 7C-4, b6-4
4

7C-4, b6-4
(Signature of Person Administering Oath)

Special Agent 7C-1, b6-1 b2
(Typed Name of Person Administering Oath)

Article 136(b)(4). UCMJ
(Authority to Administer Oath)

INITIALS 7C-4

FOR OFFICIAL USE ONLY

Page 2 of 2

EXHIBIT 2

01498

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified
ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE: Disclosure of your Social Security Number is voluntary

1 LOCATION: Abu Ghruyeb Prison, Abu Ghruyeb, Iraq
2 DATE: 10 Apr 04
3 TIME: 2350
4 FILE NUMBER:
5 Name (Last, first, MI): 7C-4 66-4
6 ORGANIZATION OR ADDRESS: 301st Military Police Company, Abu Ghruyeb, Iraq
7 GRADE/STATUS: SPC

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

SECTION A. Rights

The invese 7C-4 whose name appears below told me that he/she is with the United States Army Criminal Investigation Command and wanted to question me about the following offense(s) of which I am suspected/accused: Murder

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

1. I do not have to answer any questions or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both.

-or-

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have the right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

SECTION B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me

WITNESSES (if available)

1a NAME: 7C-4, 66-4

1b ORGANIZATION OR ADDRESS AND PHONE: 302nd MP CO

2a NAME (Type or Print)

2b ORGANIZATION OR ADDRESS AND PHONE

Prison Interrogation Team
Abu Ghruyeb, Iraq

SECTION C. Non-waiver

1. I do not want to give up my rights
☐ I want a lawyer ☐ I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

SWORN STATEMENT

File Number: 0013-04-CID789

Location: Abu Ghuryeb Prison, Abu Ghuryeb, Iraq

Date: 10 Apr 04

Time: 0500 *TC/bb-4*

Statement of: *TC/bb-4*

SSN:

Grade/Status: SPC

Org/Address: 301th Military Police Company, Abu Ghuryeb, Iraq

TC-4, bb-4 want to make the following statement under oath: I am a Military Police reservist, assigned to work corrections at the hard site, Abu Ghuryeb Prison, Abu Ghuryeb, Iraq. About 1700, 10 Apr 04, I went on shift at the hard site. I was assigned to patrol outside the hard site to prevent the escape of any detainees. When I came on shift, the detainees were being loud. As the shift went on, the detainees proceeded to start breaking out the concrete windows with such things as metal pipes and bars. The detainees were also throwing rocks, chunks of concrete, and trash at the patrols. One of the detainees was shooting rocks at us with a homemade sling-shot. About 1900, the MP XO came to our location and saw the detainees busting out the windows and throwing things at the patrols. The MP XO told us to use less than lethal rounds to prevent them from causing injury to the patrols and to keep them from escaping through the windows. I fired about five less than lethal rounds. The less than lethal rounds did not seem to have any effect, what so ever, on the detainees. About 1930, 10 Apr 04, the MAJ *TC/bb-4* and the MP Battalion CDR, showed up to assess the situation. By then there were breaking a hole in the wall at the back of the tier, Tier 5B. The MP Battalion CDR told us, the MPs outside the tier, the Rules of Engagement (ROE) were to be if any of the detainees escaped and actually got physically outside of the tier deadly force was to be used. After a while, the MP Battalion CDR, the MP Battalion XO, and MAJ *TC/bb-4* left. We continued patrolling outside the tier. I sat down with CPL *TC-4, bb-4* and PV2 *TC/bb-4* to watch the south side (wall) of the tier, Tier 5B. About 2130, 10 Apr 04, one of the detainees jumped out of the tier through a window. The detainee then started walking towards us. The three of us (me, *TC/bb-4* and *TC/bb-4*) stood up, shouted to stop at the detainee, I held out my hand, then I chambered a round in the shotgun. The detainee kept moving. I shot at the detainee, aiming center mass with one round of 12 gauge 00 Buckshot. The detainee staggered and fell down. I rushed to give medical assistance, but other detainees in the tier above began throwing chunks of concrete at me. I retreated for my safety. Then the other members of the shift and the medics came. They used shields to protect the medics who removed the detainee. I shot him because those were my orders from the Battalion CDR. I was afraid that the detainee would attack us or that he would try to escape.

Q: What kind of shotgun did you use?

A: I had a Mosburg 590 Shotgun 12 gauge with serial number 771353.

Q: When you shot him could you see/tell if he was moving towards you or if he had turned to run away?

A: No, I could not tell which way he was going because it was dark and there wasn't too much light.

Q: Do you have anything to add to this statement?

A: No. (END OF STATEMENT) *TC/bb-4*

INITIALS: *TC/bb-4*

FOR OFFICIAL USE ONLY

Page 1 of 2

EXHIBIT 3

STATEMENT OF: SPC

7C-4, b6-4

DATED: 10 Apr 04

CASE #: 0013-04-CID789

AFFIDAVIT

7C-4, b6-4 HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(Signature)

7C-4, b6-4

g Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10th day of April 2004 at Abu Ghraib, Iraq

(Signature)

7C-4, b6-4

(Signature of Person Administering Oath)

Special Agent

7C-1, b6-1 b2

(Typed Name of Person Administering Oath)

Art 136(b)(4)Article 136-UCMJ

(Authority to Administer Oath)

INITIALS _____

FOR OFFICIAL USE ONLY

Page 2 of 2

EXHIBIT 3

01501

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0013-04-CID789-83982

PAGE 1 OF 2 PAGES

DETAILS

BASIS FOR INVESTIGATION: At 2200, 10 Apr 04, this office was notified by the 391st Military Police (MP) Battalion (BN), Baghdad Correctional Confinement Facility (BCCF), Abu Ghryeb, Iraq, that one Detainee (HAMED) was shot and killed when he tried to escape from 5B of the hardsite.

About 2220, 10 Apr 04, SA *7C-1, bb-1* this office, coordinated with SFC *7C-4, bb-4* *7C-4, bb-4* 391st Military Police (MP) Battalion (BN), Prisoner In-Processing Section, Abu Ghryeb, Iraq (AGI), who stated he could not identify the deceased detainee using a retinal scan. SFC *7C-4, bb-4* *7C-4, bb-4* ted the detainee was not in the system.

At 2230, 10 Apr 04, SA *7C-1, bb-1* interviewed PVT *7C-4, bb-4* 301st Military Police (MP) Company, Baghdad Correctional Confinement Facility (BCCF), Abu Ghryeb, Iraq. PVT *7C-4, bb-4* stated he was one of three MP's who were guarding the outside of Tier 5B. PVT *7C-4, bb-4* stated a Detainee (HAMED) crawled through a burned out window. The military police directed the detainee to halt three times, but the detainee ignored the command and started to run. SPC *7C-4, bb-4* 301st MP Company, BCCF, Abu Ghryeb, Iraq, fired one round of buckshot which struck Detainee HAMED in the back, fatally wounding him.

About 2235, 10 Apr 04, SA *7C-1, bb-1* xposed photographs of the detainee and his injuries using a Kodak digital camera.

At 2245, 10 Apr 04, SA *7C-1, bb-1* interviewed CPL *7C-4, bb-4* , 301st MP Company, BCCF, Abu Ghryeb, Iraq. CPL *7C-4, bb-4* stated she noticed a Detainee crawling through a window on the bottom floor. She told the detainee to halt three times, but the detainee started to run. SPC *7C-4, bb-4* hen fired one round of buckshot at the detainee. CPL *7C-4, bb-4* related, SPC *7C-4, bb-4* and PVT *7C-4, bb-4* attempted to administer first aid to the detainee, but were forced back by other detainees who were throwing rocks and pipes at them.

At 2300, 10 Apr 04, SA *7C-1, bb-1* oordinated with CPT *7C-4, bb-4* Commander, 301st MP Company, BCCF, Abu Ghryeb, Iraq and briefed him on the status of this investigation.

AGENT'S COMMENT: A Crime Scene Examination was not conducted due to officer safety concerns. As MP and CID personnel were approaching the crime scene, detainees began throwing rocks and pipes.

About 2330, 10 Apr 04, SA *7C-1, bb-1* oordinated with LTC *7C-4, bb-4* Commander. 391st MP BN, Abu Ghryeb Prison, Iraq and briefed him on the status of this case.

TYPED AGENT'S NAME AND ORGANIZATION NUMBER

7C-1- bb-1 *bb*

ORGANIZATION

Prisoner Interrogation Team (PIT) (CID) (FWD)
Baghdad Correctional Facility, Abu Ghryeb, Iraq

DATE

13 Apr 04

EXHIBIT

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0013-04-CID789-83982

PAGE 2 OF 2 PAGES

DETAILS

About 2350, 10 Apr 04, SA 7C-1, b6-7 his office, advised SPC 7C, b6-4 of his legal rights, which he waived and provided a sworn statement detailing the incident. (See waiver Certificate and Sworn Statement)

About 0906, 11 Apr 04, SA 7C-1, b6-7 coordinated with SFC 7C, b6-4 and obtained a copy of the death certificate pertaining to Detainee HAMED.

About 0930, 12 Apr 04, SA 7C-1, b6-7 coordinated with CPT 7C, b6-4 Command Judge Advocate, 504th Military Intelligence Brigade and Abu Ghruyeb Prison, Abu Ghruyeb, Iraq. CPT 7C, b6-4 joined that no crime was committed and the shooting was Justifiable Homicide.

About 1230, 13 Apr 04, SA 7C-1, b6-7 interviewed LTC 7C, b6-4 who stated he briefed all military police working at the prison the rules of engagement, which included the use of deadly force if a detainee attempted to escape.///LAST ENTRY///

TYT

7C-1

SA
SIGN

b6-1

b2

ORGANIZATION

Prisoner Interrogation Team (PIT) (CID) (FWD)
Baghdad Correctional Facility, Abu Ghruyeb, Iraq

DATE

13 Apr 04

EXHIBIT

4

PHOTOGRAPHIC PACKET

NUMBERDESCRIPTION OF PHOTOGRAPHS

1. Photograph depicting the full body (Side) of HAMED
2. Photograph depicting the face of HAMED
3. Photograph depicting the entry wound to the back of HAMED
4. Photograph depicting the second entry wound to the back of HAMED
5. Photograph depicting the window where HAMED escaped
6. Photograph depicting where HAMED fell after being shot
7. Photograph depicting a overall view of tier 5B
8. Photograph depicting the building number
9. Photograph depicting the face of APOSS
10. Photograph depicting the full body (Side) of APOSS
11. Photograph depicting the full body (Front) of APOSS
12. Photograph depicting the full body (Back) of APOSS
13. Photograph depicting the entry wound to shoulder of APOSS

FOR OFFICIAL
USE ONLY

EXHIBIT _____

25

04504

0013-04-CID789-83782

26

01505
EX 5

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0013-04-CID789-83982

PAGE 1 OF 1 PAGES

DETAILS

About 1650, 15 Jun 04, this office was notified by the 22nd MP BN that this investigation was to be re-opened to obtain the death certificate pertaining to both detainees.

About 1100, 16 Jun 04, INV *7C-1 b6-1* this office, coordinated with SFC *7C-4, b6-4* ~~7C-4, b6-4~~ COIC, Detainee In-Processing Section, BCCF who stated there was not a copy of either detainees death certificate on file.

About 1130, 16 Jun 04, INV *7C-1 b6-1* coordinated with SPC *7C-4, b6-4* Administration Clerk, Task Force Oasis, 67th Combat Support Hospital, BCCF who stated there was not a death certificate on file for either detainee.

About 1230, 16 Jun 04, INV *7C-1 b6-1* coordinated with CW4 *7C-4, b6-4* Senior Interrogator, JIDC, BCCF who related all records pertaining to both detainees were located at CJTF-7. CW4 *7C-4, b6-4* added his organization does not obtain death certificates to place in their files.

About 1000, 17 Jun 04, SA *7C-1 b6-1* coordinated with *7C-4, b6-4* NCOIC, Battalion Aid Station, 391st MP BN, BCCF who provided an unsigned death certificate for Detainee HAMED. (See Death Certificate for details)

About 1300, 17 Jun 04, SA *7C-1 b6-1* coordinated with Mortuary Affairs, Baghdad International Airport (BIAP) who related they had no information concerning the death of Detainee AMIR.

////////////////////////////////////LAST ENTRY////////////////////////////////////

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA
SIGNATURE

7C-1, b6-1

b2

ORGANIZATION

Prisoner Interrogation Team (PIT) (CID) (FWD)
Baghdad Correctional Facility, Abu Ghruyeb, Iraq

DATE

17 Jun 04

EXHIBIT

CID FORM 94

11/87

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01506

Page(s)

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Referred to:

U.S. ARMY MEDICAL COMMAND
FREEDOM OF INFORMATION/
PRIVACY ACT OFFICE
ATTENTION: MCFP
2050 WORTH ROAD, SUITE 13
FORT SAM HOUSTON, TEXAS
78234-6013

MR. JOHN PETERSON
John.Peterson1@cen.amedd.army.mil
(210) 221-7826

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

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PAGE

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OF

1

PAGE

DETAILS:

About 1030, 4 Aug 04, SA *7C-1-bb-1* *bv* Detainee Assessment Task Force (DATF), USACIDC, Fort Belvoir, VA 22060, reviewed the Provost Marshal's Office, Detainee Not In Camp Roster, using query for "dead" and identified entries pertaining to detainee Abbas Khalid HAMED, Detainee 26162, a victim in 0013-04-CID789-83982. According to the roster, HAMED was entered into the database as deceased; however, he was re-entered into the database upon determination he was not dead and issued a new ISN (USIZ-159991CI). HAMED's previously assigned ISN was US9IZ-157073CI. The roster indicated he was released from custody on 4 May 04 (see database printouts for details).

AGENT'S COMMENT: After discussion with CW5 *7C-1-bb-4* Operations, DATF, there is a possibility *7C-1-bb-4* the victim listed in 0120-04-CID789, may have been the person who died during this riot. Abbas FARHAN's, reported he had obtained a death certificate which reflected his son *7C-1-bb-4* died at Abu Ghraib on 14 Apr 04, from a gunshot wound. To date, attempts to locate *7C-1-bb-4* on any databases within this office have met with negative results.

About 1500, 6 Aug 04, SA *7C-1-bb-1* coordinated with SA *7C-1-bb-1* Operations, USACIDC and arranged for an Arabic linguist to view the digital images exposed of the deceased individual previously identified as HAMED, based upon the tattoo's of potential Arabic writing on the chest of HAMED.

AGENT'S COMMENT: SA *7C-1-bb-1* stated she would attempt to arrange for an Arabic linguist to examine the questioned writing in the images contained on Exhibit 5, Compact Disc 040013.789.

About 0900, 10 Aug 04, SA *7C-1-bb-1* coordinated with an Arabic Linguist who examined the images in question (DCP_0196 and DCP_0197). According to the Linguist, the questioned writing on the chest of the individual started with "My brother"; however, the remainder of the writing was partially obscured by scar tissue and could not be positively identified. The Linguist did provide the following possible wording, either "Fahim" or "Qaasim" (see Linguist's handwritten notes for details).

////////////////////////////////////Last Entry////////////////////////////////////

TYPE

SIG

ORGANIZATION

DATF, USACIDC

DATE

10 Aug 04

EXHIBIT

3

FOR OFFICIAL USE ONLY

(Automated)

Protective Marking is Excluded From Automatic Termination (Para 13, AR 34-16)

01508

Page(s)

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Referred to:

U.S. CENTRAL COMMAND
7115 SOUTH BOUNDARY BLVD
ATTN: CCJ6-DM
MACDILL AIR FORCE BASE
FLORIDA 33621-5101

MS. JACQUELINE SCOTT
scottj@centcom.smil.mil
(813) 827-5341/2830

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0013-04-CID789-82982

PAGE 1 OF 3 PAGES

DETAILS

About 1500, 18 Aug 04, this office received an email from the Assistant Operations Officer (AOPS), 22nd MP Bn, Camp Victory, Baghdad, Iraq, with an attachment which contained a Request for Correction, 0434-04-CID001, from USACIDC, requesting a corrected final for this investigation, and an attachment which contained a Transmittal of Information, USACIDC, in which an administrative review revealed one of the decedents of this investigation may have been misidentified.

About 1300, 19 Aug 04, SA 7C-bb-1 coordinated with 7C-8, bb-8 GS-14, Coalition Provisional Authority (CPA), Correctional Advisor, Department of Justice (DOJ), and Mr. 7C-4, bb-4 GS-15E, CPA, Correctional Advisor, DOJ, who queried their database for information pertaining to Abbas Khalid HAMED, Internment Serial Number (ISN) 26162, National Detainee Reporting System (NDRS) US9IZ-157073CI and NDRS US9IZ-159991CI, and Knaled APOSS, Prisoner Identification Number (PIN) 000012 and any information pertaining to detainees on or about 10 Apr 04. Mr. 7C-8, bb-8 query revealed no information pertaining to HAMED or APOSS, however, did reveal two deceased Internees, Kalib Abas MAHMUED, TAS 00012, killed by Military Police and Musa Abas FARHAN, 3153, killed by Military Police/Marines. The date associated with these entries reflected 9 May 04. Another entry in the date base listed Internee 3153 was killed by Marines, but listed no name and was dated 13 Apr 04. 7C-8, bb-8 provided a copy of the spreadsheet. 7C-8, bb-8 stated the records kept during the time period in question was not done well (See Spreadsheet for details).

About 1430, 19 Aug 04, SA 7C-bb-1 and 7C-8-bb-8, with the assistance of linguist 7C-4, bb-4 badge # Titan Corporation, coordinated with 7C-4, bb-4 badge # Legal Department, Iraqi Corrections Services, Ministry of Justice, who conducted a search of record ledgers pertaining to Internees, Hardsite, Abu Ghraib Prison, which revealed two entries dated 12 Apr 04, which reflected Kalid Abas MAHMUED, 00012 and Musa Abas FARHAN, 3153, had been killed. The ledger entry did not reflect the specific date or means of death of the two individuals (See Ledger Record for details).

About 1510, 19 Aug 04, SA 7C-bb-1 coordinated with Mr. 7C-8, bb-8 GS-14, CPA, Warden Advisor, DOJ, who stated he and his staff arrived at the Hardsite on 11 Apr 04 to take over operations. Mr. 7C-8, bb-8 stated he was given custody of the remains of two unknown deceased Internees, who had been killed the previous day or two during a riot/escape attempt. Mr. 7C-8, bb-8 stated the two decedents were identified by other Internees as there was no way to obtain a positive identification. Mr. 7C-8, bb-8 stated he would not be surprised if the two deceased individuals from the riot/escape attempted had been misidentified. Mr. 7C-8, bb-8 referenced the difficulties tracking the Internees and the poor record keeping. Mr. 7C-8, bb-8 stated the situation for tracking Internees has not improved under Iraqi control.

About 1536, 19 Aug 04, SA 7C-bb-1 coordinated with 2LT 7C-4, bb-4 428th MP CO, Abu Ghraib, Iraq (USAR, South Bend, IN), who provided a copy of the 391st MP Bn, Significant Incident Report (SIR), dated 10 Apr 04, which listed the decedent as Khalid Apass HEMAD, TAS 00012 (See SIR for details).

ORGANIZATION PRISONER INTERROGATION TEAM (PIT)(CID) Baghdad Central Confinement Facility, Abu Ghraib 09342	
DATE 23 Aug 04	EXHIBIT 41

AGENT'S INVESTIGATION REPORT

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DETAILS

About 1600, 19 Aug 04, SA ~~7C-1, 66-1~~ coordinated with CPT ~~7C-8~~ ~~66-8~~, 301st MP CO, Abu Ghraib, Iraq (USAR, Fort Buchanan, Puerto Rico), who stated his unit controlled the Hardsite when two Internees were killed in Apr 04. CPT ~~7C-8~~ ~~66-8~~ stated he remembered the incident, but would have to see if his unit retained any records pertaining to the incident.

About 2000, 19 Aug 04, Linguist ~~7C, 66-8~~ and Linguist ~~7C, 66-8~~ translated the information obtained from the Ledger (See Translation of Ledger for details).

About 1120, 20 Aug 04, SA ~~7C-1~~ ~~66-1~~ coordinated with 1LT ~~7C-8~~ ~~66-8~~ 301st MP CO (USAR, Fort Buchanan, Puerto Rico), provided a packet containing indecent reports from numerous unit members detailing their actions pertaining to events that occurred between 10 Apr 04 and 11 Apr 04 (See Packet for details).

About 1210, 20 Aug 04, SA ~~7C-1-66-1~~ coordinated with SGT ~~7C-8~~ ~~66-8~~ and SPC ~~7C, 66-8~~ HHC, 391st MP CO, Abu Ghraib, IZ, who conducted a search of their Biometrics Automated Toolset (BATS) and NDRS databases for information pertaining to Internee numbers 00012 and 3153, which met with negative results. SGT ~~7C, 66-8~~ conducted a search of his databases for information pertaining to MAHMUED and FARHAN, which met with negative results. SGT ~~7-8-66-8~~ stated the 391st MP CO, Inprocessing Center, stopped inprocessing Iraqi Internees in BATS around early Mar 04. SGT ~~7C, 66-8~~ stated Internees processed prior to Mar 04 should have been entered into BATS and assigned a 5 or 6 digit number.

AGENT'S COMMENT: SPC ~~7C, 66-3~~ located a capture tag number ~~7C, 66-3~~ pertaining to an Internee SPC ~~7C, 66-3~~ stated ~~7C, 66-3~~ was transferred from the Hardsite on 3 Feb 04. SPC ~~7C, 66-3~~ stated Internees/Detainee can have the same capture tag number since they come from many different units and areas.

About 1320, 20 Aug 04, SA ~~7C-1, 66-1~~ created a photo comparison of the two decedents and HAMED utilizing photos from death scene and from BATS (See CD for Photo Comparison).

About 1340, 21 Aug 04, SA ~~7C-1, 66-1~~ coordinated with SPC ~~7C-3~~ ~~66-3~~, HHC, III Corps, Detention Operations, SJA, Abu Ghraib, IZ, who stated a search of his database met with negative results for information pertaining to FARHAN, MAHMUED, 3153 and TAS 00012.

About 2000, 22 Aug 04, SA ~~7C-1, 66-1~~ coordinated with SGT ~~7C-3~~ ~~66-3~~ Patient Administration Specialist, BCCF Hospital, AGI, who stated no records existed for either detainee. She stated according to her records, neither of the detainees were brought to the hospital after the incidents.

About 1200, 23 Aug 04, SA ~~7C-1, 66-1~~ and Mr. ~~7C-8~~ ~~66-8~~ GS-12, CPA, Corrections Advisor, DOJ, BCCF, Abu Ghraib, IZ with the assistance of Linguist ~~7C-8~~ ~~66-8~~ Badge # Titan

ORGANIZATION PRISONER INTERROGATION TEAM (PIT)(CID) Baghdad Central Confinement Facility, Abu Ghraib 09342	
DATE 23 Aug 04	EXHIBIT 11

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0013-04-CID789-82982

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DETAILS

Corp, Abu Gharaib, IZ, coordinated with Dr. *7C-4, b6-4* 3adge BCCF *b2* Prison Health Unit, BCCF, Abu Gharaib, IZ, who conducted a search for information pertaining to Detainee FARHAN and MAHMUED, which met with negative results.

AGENT'S COMMENT: Based upon the records obtained from CPA and MOJ it appears the individuals killed on 10 Apr 04 and 11 Apr 04 were Internees MAHMOUD and FARHAN. Internee HAMED was originally listed as one of the decedents, however, on 20 Apr 04, the error was identified and annotated in BATS. HAMED was assigned a new NDRS number then released on 4 May 04. There was no information found on Internee APOSS or the PIN 000012, as originally listed. Based upon the information found, MAHMOUD's PIN was TAS00012, which indicated he was transferred from Tas Farrat Prison, and FARHAN's PIN was 3153. However, a search of numerous databases listed no information for either of the PIN's. Coordination with CPA disclosed the record keeping for the Hardsite Internees was poor at best. Further, since the responsibility of the Hardsite has been turned over to the Iraqi Government, there has been no improvement in record keeping to track Internees.

//////////////////////////////////LAST ENTRY//////////////////////////////////

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*K-1**b2**b6-1*

ORGANIZATION
PRISONER INTERROGATION TEAM (PIT)(CID)
Baghdad Central Confinement Facility, Abu Ghraib 09342

DATE

24 Aug 04

EXHIBIT

11

Page(s)

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Referred to:

U.S. CENTRAL COMMAND
7115 SOUTH BOUNDARY BLVD
ATTN: CCJ6-DM
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FLORIDA 33621-5101

MS. JACQUELINE SCOTT
scottj@centcom.smil.mil
(813) 827-5341/2830

0013-04-CID 789-83982

Exhibit 17

DATE: 11 APR 04

FROM: SAC, ABU GHRUYEB PRISON COMPLEX (CID)
TO: DIRECTOR, USACRC, USACIDC, FORT BELVOIR, VA
CDR, HQUSACIDC //CIOP-ZA//
CDR, 22ND MP BN (CID) (FWD) //OPS//
CDR, 3D MP GROUP (CID) //OPS//
SJA, 16TH MP BDE
LNO CID, CJTF-7 (FOR FURTHER DISTRIBUTION)
CDR, 16TH MP BDE
CDR, 391ST MP BN

SUBJECT: CID REPORT -INITIAL/SSI-0013-04-CID789-83982-5H6-5Y3

DRAFTER: SA
RELEASER: SA *7C-1, 66-1*

UNCLASSIFIED - FOR OFFICIAL USE ONLY

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 10 APRIL 2004/1930 HRS - 10 APRIL 2004/2130 HRS, ABU GHRUYEB PRISON, ABU GHRUYEB, BAGHDAD, IRAQ
2. 11 APRIL 2004/0500 HRS - 11 APRIL 2004/0540 HRS, ABU GHRUYEB PRISON, ABU GHRUYEB, BAGHDAD, IRAQ

2. DATE/TIME REPORTED: 10 APRIL 2004, 2200

3. INVESTIGATED BY: SA *7C-1 66-1 62*; SA *7C-1*
66-1 62 SA *7C-1 66-1 62*

4. SUBJECT: 1. HAMED, ABBAS KHALID (DECEASED); INTERNMENT SERIAL NUMBER (ISN 26162); 01 JANUARY 1986; UNKNOWN, IZ; M; WHITE; DETAINEE; BAGHDAD CORRECTIONAL CONFINEMENT FACILITY (BCCF), ABU GHRUYEB, IZ; ZZ [RIOTING] [JUSTIFIABLE HOMICIDE]

2. APOSS, KNALED (DECEASED); PRISONER IDENTIFICATION NUMBER (PIN 000012); UNKNOWN, IZ; M; WHITE, DETAINEE; BCCF, ABU GHRUYEB, IZ; ZZ (NFI) [RIOTING] [JUSTIFIABLE HOMICIDE]

5. VICTIM: 1. U.S. GOVERNMENT; (301TH MILITARY POLICE COMPANY) [RIOTING] [JUSTIFIABLE HOMICIDE]

2. U.S. GOVERNMENT; (K COMPANY, 3/24TH MARINE) [RIOTING] [JUSTIFIABLE HOMICIDE]

6. INVESTIGATIVE SUMMARY: THE INFORMATION IN THIS REPORT IS BASED UPON AN ALLEGATION OR PRELIMINARY INVESTIGATION AND MAY CHANGE PRIOR TO THE COMPLETION OF THE INVESTIGATION.

"THIS IS AN OPERATION IRAQI FREEDOM INVESTIGATION"

ON 10 MAR 04, THIS OFFICE WAS NOTIFIED BY THE 391ST MILITARY POLICE (MP) BATTALION (BN), ABU GHRUYEB PRISON, ABU GHRUYEB, IRAQ THAT DETAINEE HAMED, WAS SHOT AND KILLED BY MP GUARDS AND DETAINEE APOSS, WAS SHOT AND KILLED BY MARINES WHEN THEY ESCAPED AFTER RIOTING IN TIERS 5A AND 5B OF THE ABU GHRUYEB PRISON HARDSITE.

PRELIMINARY INVESTIGATION REVEALED A RIOT BEGAN IN TIER 5B OF THE ABU GHRUYEB PRISON HARDSITE AND MP GUARDS SET UP A PERIMETER ON THE OUTSIDE OF TIER 5B. WITHIN TIER 5B THE PRISONERS HAD BROKEN THEIR THE LOCKS TO THEIR CELLS AND WERE THROWING ROCKS AND METAL PIPES AT THE MILITARY POLICE GUARDS. ALL MEMEBERS IF THE GUARD FORCE WERE BRIEFED ON THE RULES OF ENGAGEMENT (ROE) AUTHORIZING THE USE OF DEADLY FORCE. MULTIPLE ATTEMPTS WERE MADE TO STOP THE RIOT UTILIZING VERBAL PERSUASION AND WITH LESS THEN LETHAL MUNITIONS. DETAINEE HAMED THEN JUMPED THROUGH A WINDOW AND WAS ORDERED TO HALT THREE TIMES BY MILITARY POLICE PERSONNEL. DETAINEE THEN ATTEMPTED TO RUN AND SPC *7C-4* *7C166-4* 301ST MP COMPANY, ABU GHRUYEB, IRAQ, ENGAGED DETAINEE HAMED WITH ONE ROUND OF BUCKSHOT STRIKING HIM IN THE BACK.

LATER THAT EVENING, IN TIER 5A OF THE ABU GHRUYEB PRISON HARDSITE, FIFTEEN DETAINEES ESCAPED OUTSIDE OF THE TEIR. DURING THE ESCAPE, U.S. MARINES RE-CAPTUREED FOURTEEN OF THE DETAINEES. WHILE THE MARINES WERE COLLECTING THE ESCAPED DETAINEE'S, A GUN SHOT WAS HEARD. DETAINEE APOSS WAS ATTMPTING TO FLEE THE PRISON BY CRAWLING ON THE GROUND TOWARD AN EXIT. LCPL *7C166-4* , K COMPANY, 3/24TH MARINE, ABU GHRUYEB, IRAQ, IDENTIFIED DETAINEE APOSS CRAWLING ON THE GROUND AND ENGAGED HIM WITH ONE ROUND OF 5.56MM IN ACCORDANCE WITH THE ROE, STRIKING HIM IN THE UPPER SHOULDER.

AT THE WRITING OF THIS REPORT, THE EXACT TIMES OF DEATH WERE UNKNOWN OR IF AUTOPSY'S WILL BE CONDUCTED ON THE DECEADED DETAINEES.

AT 2350, 10 APR 04, SA 7C,bb-1 ADVISED SPC OF HIS LEGAL RIGHTS, WHICH HE WAIVED AND PROVIDED A WRITTEN STATEMENT WHICH DETAILED THE EVENTS SURROUNDING AND HIS ACTIONS DURING THE SHOOTING OF THE DETAINEE. SPC 7C-4bb-4 STATED HE SHOT THE DETAINEE (HAMED) TO PROTECT THE OTHER MP PERSONNEL AND TO PREVENT DETAINEE (HAMED) FROM ESCAPING.

AT 0703, 11 APR 04, SA 7C,bb-1 ADVISED LCPL 7C,bb-4 OF HIS LEGAL RIGHTS, WHICH HE WAIVED AND RENDERED A SWORN STATEMENT WHICH HE DETAILED THE EVENTS SURROUNDING AND HIS ACTIONS DURING THE SHOOTING OF THE DETAINEE. LCPL 7C,bb-4 STATED HE SHOT THE DETAINEE (APOSS) TO PROTECT FELLOW MARINES AND TO PREVENT DETAINEE (APOSS) FROM ESCAPING.

THE OCONUS CID CASUALTY LIASON OFFICER (CLO) IS SA 7C,bb-1 7C,bb-1 75TH MP DETACHMENT (CID), PRISON INTERROGATION TEAM (PIT), ABU GHRUYEB PRISON, ABU GHRUYEB, IRAQ, AT DNVN 318-550-

INVESTIGATION CONTINUES BY USACIDC.

7. CID REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF PROTECTIVE MARKING IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

FOR OFFICIAL USE ONLY

CID Form 66

[illegible]

SAC:

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AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)		CONTROL NUMBER 0013-04-CID789-83982
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY	
2200, 10 Apr 04 7C-1, 66-1 I: 10, T: 0	BASIS FOR INVESTIGATION: At 2200, 10 Apr 04, this office was notified by the 391st Military Police (MP) Battalion (BN), Baghdad Correctional Confinement Facility (BCCF), Abu Ghryeb, Iraq, that one Detainee (HAMED) was shot and killed when he tried to escape from 5B of the hardsite.	
2220, 10 Apr 04 7C-1, 66-1 I: 20, T: 10	About 2220, 10 Apr 04, SA 7C-1, 66-1 this office, coordinated with SFC 7C-3, 66-3 391st Military Police (MP) Battalion (BN). Prisoner In-Processing Section, Abu Ghryeb, Iraq (AGI), who stated he could not identify the deceased detainee using a retinal scan. SFC 7C-3, 66-3 stated the detainee was not in the system.	
2230, 10 Apr 04 7C-1, 66-1 I: 20, T: 10	At 2230, 10 Apr 04, SA 7C-1, 66-1 interviewed PVT. 7C-6, 66-6 301st Military Police (MP) Company, Baghdad Correctional Confinement Facility (BCCF), Abu Ghryeb, Iraq. PVT 7C-6, 66-6 stated he was one of three MP's who were guarding the outside of Tier 5B. PVT 7C-6, 66-6 stated a Detainee (HAMED) crawled through a burned out window. The MP's present announced three times for Detainee HAMED to halt and he began to run. SPC 7C-6, 66-6 301st MP Company, BCCF, Abu Ghryeb, Iraq, fired one round buckshot which struck Detainee HAMED in the back which killed him.	
2235, 10 Apr 04 7C-1, 66-1 I: 10, T: 0	About 2235, 10 Apr 04, SA 7C-1, 66-1 exposed photographs of the detainee and his injuries using a Kodak digital camera. (See Photo Log)	
2245, 10 Apr 04 7C-1, 66-1 I: 20, T: 10	At 2245, 10 Apr 04, SA 7C-1, 66-1 interviewed CPL 7C-4, 66-4 301st MP Company, BCCF, Abu Ghryeb, Iraq. CPL 7C-3, 66-3 stated she noticed a Detainee crawling through a window on the bottom floor. Detainee HAMED was told three times to stop, then Detainee HAMED started to run. SPC 7C-3, 66-3 then fired one round of buckshot which killed him. CPL 7C-3, 66-3 related, SPC 7C-3, 66-3 and PVT 7C-6, 66-6 attempted to administer first aid to the Detainee, but were forced back by other Detainee's throwing rocks and pipes at them.	
2300, 10 Apr 04 7C-1, 66-1 I: 20, T: 0	At 2300, 10 Apr 04, SA 7C-1, 66-1 coordinated with CPT 7C-3, 66-3 Commander, 301st MP Company, BCCF, Abu Ghryeb, Iraq and briefed him on the status of this investigation. AGENT'S COMMENT: A Crime Scene Examination was not conducted due to officer safety concerns. As MP and CID personnel were approaching the crime scene, Detainees began throwing rocks and pipes.	
2230 10 Apr 04 7C-1, 66-1 I: 20, T: 0	About 2330, 10 Apr 04, SA 7C-1, 66-1 coordinated with LTC 7C-3, 66-3 301st MP BN. Abu Ghryeb Prison, Iraq and briefed him on the status of this case.	
2350, 10 Apr 04 7C-1, 66-1	About 2350, 10 Apr 04, SA 7C-1, 66-1 office, advised SPC 7C-3, 66-3 his legal rights, which he waived and provided a sworn statement detailing the	

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)		CONTROL NUMBER 0013-04-CID789-83982
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY	
I: 40, T: 0	incident. (See Sworn Statement)	
0600, 11 Apr 04 7C-1, 66-1 I: 10, T: 0	BASIS FOR INVESTIGATION: About 0600, 11 Apr 04, this office was notified by the 391st Military Police (MP) Battalion, Abu Ghryeb, Iraq (AGI) that another detainee was shot and killed while trying to escape.	
0703, 11 Apr 04 7C-1, 66-1 I: 40, T: 0	About 0703, 11 Apr 04, SA 7C-1, 66-1 interviewed LCPL 7C-3, 66-3 K Company 3/24 Marines, AGI. 7C-3, 66-3 was advised of his legal rights, which he waived and provided a sworn statement detailing his actions. 7C-3, 66-3 stated that he shot the detainee to protect his position and to keep the detainee from escaping in accordance with the Rules of Engagement (ROE) that he was briefed. (See Waiver and Sworn Statement of 7C-3, 66-3)	
0810, 11 Apr 04 7C-1, 66-1 I: 30, T: 0	About 0810, 11 Apr 04, SA 7C-1, 66-1 interviewed SGT 7C-3, 66-3, K Company 3/24 Marines, AGI, who provided a verbal statement regarding the incident. 7C-3 stated he was the Sergeant of the Guard (SOG) for the midnight shift. 7C-3 stated he had to post the shift early as there was a report of escaped detainees loose inside the compound. While posting the shift, they encountered and detained 13 detainees who had escaped. 7C-3, 66-3 stated he briefed his personnel on the use of deadly force. 7C-3, 66-3 stated he told the Marines use of deadly force was authorized if Marines or Coalition Forces were threatened or in fear of grievous bodily harm. 7C-3, 66-3 stated the Marines were also briefed by an Army sergeant (NFI) that deadly force was authorized to capture detainees who had escaped from the hardsite. 7C-3, 66-3 stated after posting his Marines, there was a shot(s) fired from an undetermined location inside the compound, and there was still one escaped detainee unaccounted for inside the compound. 7C-3, 66-3 stated everyone was at a heightened state of alert.	
0830, 11 Apr 04 7C-1, 66-1 I: 20, T: 0	About 0830, 11 Apr 04, SA 7C-1, 66-1 briefed CPT 7C-3, 66-3 Executive Officer, K Company 3/24 Marines, AGI, on the status of this investigation. 7C-3, 66-3 stated his Marines are trained and empowered to make decision regarding use of force on the spot. 7C-3, 66-3 stated the Marines are not expect or required to call requesting permission to use deadly force.	
0906, 11 Apr 04 7C-1, 66-1 I: 10, T: 0	At 0906, 11 Apr 04, SA 7C-1, 66-1 coordinated with SFC 7C-3, 66-3 and obtained a copy of the death certificate pertaining to Detainee HAMED.	
1000, 11 Apr 04 7C-1, 66-1 I: 20, T: 0	About 1000, 11 Apr 04, SA 7C-1, 66-1 coordinated with SSG 7C-4, 66-4 301st MP Company, AGI, who was the Hard site Shift NCOIC. SSG 7C-4, 66-4 stated a review of the pass-on book disclosed the deceased detainee was Khaled APOSS, #TAS00012, Tier 5A Cell 227, (NFI). SSG 7C-4, 66-4 stated the Coalition Provisional Authority (CPA) maintained all of the prisoner files, and there were no additional information available at the hardsite.	
1030, 11 Apr 04 7C-1, 66-1 I: 20, T: 0	About 1030, 11 Apr 04, SA 7C-1, 66-1 interviewed LCPL 7C-3, 66-3 K Company 3/24 Marines, AGI, who provided a verbal statement regarding the incident. 7C-3, 66-3 stated about 0400, 11 Apr 04, they were notified that there were escaped detainees loose in the compound. 7C-3, 66-3 stated they captured 13 of the 14 detainees prior to taking their post at Tower 3. 7C-3, 66-3	

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)		CONTROL NUMBER 0013-04-CID789-83982
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY	
0930, 12 Apr 04 TC-1, bb-1 I: 20, T: 0	<p>stated they heard a report from Tower 4 of activity in the vicinity of the tower, then heard a report of shot(s) fired. TC, bb-3 stated they (he and : TC, bb-3 believed the reports were related, and they feared the escaped detainee may have taken a weapon. TC, bb-3 stated TC, bb-3 saw the detainee low crawling towards their position. TC, bb-3 stated TC, bb-3 fired at the detainee once, believing the detainee was a threat.</p> <p>At 0930, 12 Apr 04, SA TC-1, bb-1 coordinated with CPT TC, bb-3 Command Judge Advocate, 504th Military Intelligence Brigade and Abu Ghryeb Prison, Abu Ghryeb, Iraq. CPT TC, bb-3 opined that no crime was committed and the shootings were Justifiable Homicide.</p> <p>Pending interviews of MAJ TC, bb-3 and LTC TC, bb-3</p> <p>File to SAC for review:</p>	
1230, 13 APR TC-1, bb-1	<p>INT. OF LTC TC, bb-3 WHO RELATED HE PROVIDED ROE, AUTHORIZING DEADLY FORCE IF ANY DETAINEE EXITED THE HARD-SITE.</p>	
13 Apr 04 TC-1, bb-1	<p>SAC Reviewed We'll shut this case down Final (C).</p>	
18 Apr 04 TC-1, bb-1	<p>Prepared Final To distro. Closed</p>	
25 Apr 04 TC-1, bb-1	<p>Sent report via SIPR. To admin for closure</p>	

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)	CONTROL NUMBER 0013-04-CID789-83982
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY
25 May 2004 7C-1, bb-1	To OPS for review:

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)		CONTROL NUMBER 0013-04-CID789-83982
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY	
1600, 15 Jun 04 <i>Kibb-1</i> I: 30	Directed by CW3 <i>TC, kb 3</i> AOPS, 22nd MP BN that this investigation needed to be reopened to document the receipt of death certificates or lack thereof. (See email #1)	
1100, 16 Jun 04 <i>TC, kb-1</i> I: 30	Coordinated with detainee in-processing who did not have a copy of either detainees death certificate. (See AIR)	
1130, 16 Jun 04 <i>TC, kb-1</i> I: 30	Coordinated with Aid Station who only had a copy of HAMED's death certificate. (See AIR)	
1230, 16 Jun 04 <i>TC, kb-1</i> I: 30	Coordinated with MI. (See AIR)	
1930, 16 Jun 04 <i>TC, kb-1</i> I: 30	Coordinated with CW3 <i>TC, kb 3</i> 22nd MP BN to obtain death certificate from Mortuary affairs.	
0900, 17 Jun 04 <i>TC, kb-1</i> I: 30	Received information from CW3 <i>TC, kb 3</i> at Mortuary Affairs did not have a copy of either detainees death certificate. (See AIR)	
1500, 21 Jun 04 <i>TC, kb-1</i> I: 90	Prepared Supplemental and distro via SIPR. Case closed.	

Page(s)

8

Referred to:

U.S. CENTRAL COMMAND
7115 SOUTH BOUNDARY BLVD
ATTN: CCJ6-DM
MACDILL AIR FORCE BASE
FLORIDA 33621-5101

MS. JACQUELINE SCOTT
scottj@centcom.smil.mil
(813) 827-5341/2830

INVESTIGATIVE WORKSHEET

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY:

Title 10, United States Code, Section 3012(g).

ROUTINE USES:

Your social security number and other personal information are used as an additional/alternate means of identification to facilitate filing and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

DISCLOSURE: Disclosure of your social security number is voluntary.

1 REC CODE A4	2 ACTION CODE 2	3 DATE SUBMITTED 1	4 SEQ NUMBER 5	5 YEAR 4	6 UNIT 2	7 FOX NUMBER 3	8 REL TO CASE 5	9 CONTROL # 1	3
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INDIVIDUAL DATA

10 7C-4 7C-4 7C-4	11 7C-4, b6-4	12 7C-4, b6-4	13 GRADE SPC	14 US
15 OTHER ID NUMBER 7C-4, b6-4	16 7C-4, b6-4	17 7C-4, b6-4	18 7C-4, b6-4	19 7C-4, b6-4
20 SEX M	21 RACE C	22 ETHNIC 1	23 HEIGHT 6'4"	24 WEIGHT 220
25 HAIR COLOR BRN	26 EYE COLOR BLU	27 CITIZEN US	28 EDUC 12	29 PRIOR RECORD N
30 MARITAL S	31 MOS 31B	32 MCAC 2	33 POSITION 7	34 INDUSTRY 7
35 SECURITY SEC	36 PHYSICAL MARKS TATTOOS (x5)	37 ALIAS-NICKNAME(S) JON	38 ALIAS-NICKNAME 20	39 ALIAS-NICKNAME 20
40 ORGANIZATION 301ST MP CO	41 IF CONTRACTOR, CONTRACT # (PR) RESERVIST	42 MILITARY SVC -	43 SUBUNIT 2	44 FORT/CITY ABU GHURYEB
45 STATE 7C, b6-4	46 COUNTRY 7C-4, b6-4	47 ZIP CODE/ARO TRAD	48 2	49 2

FAMILY MEMBER DATA

50 LST 1	51 FAMILY REL 2	52 SPONSOR LAST NAME 20	53 SPONSOR FIRST NAME 15	54 SPONSOR MIDDLE NAME 15
55 SOCIAL SECURITY NUMBER 9	56 SPON GRADE 7	57 SPON MCAC 2	58 SPON UNIT ADDRESS 25	59 SPON CITY 18
60 SPON ST 2	61 SPON CT 2	62 SPON ZIP CODE/ARO 9	63 2	64 2

OFFENSE

65 OFFENSE CODE 5	66 UIC 1	67 OFFENSE CODE 5	68 UIC 1	69 OFFENSE CODE 5	70 UIC 1	71 OFFENSE CODE 5	72 UIC 1
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ADMINISTRATIVE DATA

TELEPHONE #	ETS	PCS/SCPC	DATE INTERV START	TIME INTERV START
PLACE OF INTERVIEW START	DATE INTERV END	TIME INTERV END	PLACE OF INTERVIEW END	FINGERPRINT
VEHICLE DATA	DISPOSITION	PHOTO		

CORPORATION DATA

74 CONTRACTOR NUMBER 12	75 FED SERV/PROD # 4	76 CORPORATION NAME 25	77 CORP ADDRESS 25	78 CORP CITY 13	79 CORP ST 2	80 CORP CTY 2	81 CORP ZIP CODE 9
82 CONTRACT NUMBER 15							

NOTES

INVESTIGATIVE WORKSHEET

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1 REC CODE A4	2 ACTION CODE 2	3 DATE SUBMITTED 1	4 SEQ NUMBER 8	5 YEAR 4	6 UNIT 2	7 ROL NUMBER 3	8 RES. TO CASE 5	9 CONTROL # 1	3
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INDIVIDUAL DATA

10 SEX M			11 RACE C			12 ETHNIC 1			13 GRADE LEPL			14 POP-CAT US		
15 OTHER ID NUMBER 7C-4, 166-4			16 7C-4, 166-4			17 7C-4, 166-4			18 7C-4, 166-4			19 7C-4, 166-4		
20 HEIGHT 5'8"			21 WEIGHT 155			22 HAIR COLOR BRN			23 EYE COLOR GRN			24 US 2		
25 POSN 5			26 MCAC 2			27 POSITION 7			28 INDUSTRY 7			29 SECURITY 7		
30 ALIAS-NICKNAME(S) 20			31 ALIAS-NICKNAME 20			32 ALIAS-NICKNAME 20			33 IF CONTRACTOR, CONTRACT # 25			34 STATE 13		
35 ORGANIZATION K 3/24 MARINE (RESERVE)			36 MILITARY SVC 4			37 SUBUNIT 2			38 FORT/CITY 2			39 STATE 2		

FAMILY MEMBER DATA

50 SPOUSE 1			51 FAMILY REL 2			52 SPONSOR LAST NAME 20			53 SPONSOR FIRST NAME 15			54 SPONSOR MIDDLE NAME 15		
55 SOCIAL SECURITY NUMBER 9			56 SPON GRADE 7			57 SPON MCAC 2			58 SPON UNIT ADDRESS 15			59 SPON CITY 14		
60 SPON ST 2			61 SPON CTY 2			62 SPON ZIP CODE/APD 9			63 OFFENSE 5			64 OFFENSE CODE 1		

OFFENSE

65 OFFENSE CODE 5			66 UFC 1			67 OFFENSE CODE 5			68 UFC 1			69 OFFENSE CODE 5			70 UFC 1		
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ADMINISTRATIVE DATA

71 TELEPHONE #			72 ETS			73 PCS/DCPC			74 DATE INTERV START			75 TIME INTERV START		
76 PLACE OF INTERVIEW START			77 DATE INTERV END			78 TIME INTERV END			79 PLACE OF INTERVIEW END			80 FINGERPRINT		
81 VEHICLE DATA			82 DISPOSITION			83			84			85		

CORPORATION DATA

86 CONTRACTOR NUMBER 12			87 FED SERV/PROG # 4			88 CORPORATION NAME 25			89 CORP ADDRESS 18			90 CORP CITY 2			91 CORP ZIP CODE 2		
92 CONTRACT NUMBER 15			93			94			95			96			97		

NOTES

@ 0600 NOTIFIED BY SPC(?) 7C-4, 166-4 w/ FATAL SITUATION BY ONE OF TOWER GUARDS

@ 1000, 11 APR 04

COORD, INI SSL

7C-4, 16-4

7C-4, 16-4

HARD SITE MP NCORE, FT

~~201~~ MP Co.

TAS 00012 (NFI) Khaled APOSS

THIR SA, CEU 22*

→ NEED TO COORD w/ CPA

(7C-4, 16-4,

HORITY

Title 10, United States Code Section 3012 (g)

DATA REQUIRED BY PRIVACY ACT

ROUTINE USES

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PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately identified

DISCLOSURE Disclosure of your social security # is voluntary

1. Code	2. Action Code	3. Date	4. Rel to Case	5. Control	6. Sequence #	7. Year	8. Office - CID	9. ROI #	Offense
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10. Other ID Number	11. Other ID Number	12. Other ID Number	13. Grade/Rank SGT
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14. Race	15. Ethnic	16. Height	17. Weight	18. Hair	19. Eye Color	20. Complexion	21. Birth Date	22. Birth Place	23. Marital
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24. Job Description/Location	25. MC	26. Security Clr	27. Physical Marks/ Tattoos	28. Spouse Military Yes: <input type="checkbox"/> No: <input type="checkbox"/>	29. Branch
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30. Alias/Nicknames	31. Alias/Nicknames	32. Alias/Nicknames
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33. Unit Organization	34. Unit Phone Number	35. Home	36. Cell/Pager
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37. Military Service	38. Sub Unit	39. Port/City	40. State
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41. Zip Code/APU

42. Family Rel	43. Last Name	44. First Name	45. Middle Name
----------------	---------------	----------------	-----------------

46. Social Security	47. Grade/Rank	48. MC	49. Unit
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50. State	51. ZIP/APO	52. Phone	53. Wk	54. Hm
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55. Offense Code	56. UFC	57. Offense Code	58. UFC	59. Offense Code	60. UFC	61. Offense Code	62. UFC
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63. ETS	64. PCS/DEROS	65. Date / Time Interview START
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66. Date / Time Interview END

67. Category	68. Type	69. Recovered Yes: <input type="checkbox"/> No: <input type="checkbox"/>	70. Value	71. Insurer	72. Policy	73. Year/Date Exp
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74. Make	75. Model	76. Vehicle Style	77. # of Doors	78. Color	79. Size
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80. License Plate	81. State	82. DOD Decal Number
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83. Date / Time Interview START	84. Date / Time Interview END
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85. Date / Time Interview START	86. Date / Time Interview END
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87. Date / Time Interview START	88. Date / Time Interview END
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89. Date / Time Interview START	90. Date / Time Interview END
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91. Date / Time Interview START	92. Date / Time Interview END
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93. Date / Time Interview START	94. Date / Time Interview END
---------------------------------	-------------------------------

95. Date / Time Interview START	96. Date / Time Interview END
---------------------------------	-------------------------------

97. Date / Time Interview START	98. Date / Time Interview END
---------------------------------	-------------------------------

99. Date / Time Interview START	100. Date / Time Interview END
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101. Date / Time Interview START	102. Date / Time Interview END
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ES: @ 0810, 11 APR 04. INT. OF TC-4, 66-4 SOL for midnights shift. Briefed ROE. TOLD LCPL TC-4, 66-4 HAD TO EMPLOY SHIFT EARLY TO CAPTURE ESCAPEES. AFTER HAD CAPTURED MAJORITY, HAD OPPORTUNITY TO BRIEF. THIV TEST: TOLD IF THREATENED THEN DEADLY FORCE AUTHORIZED. ALSO BRIEFED BY ARMY SGT, WHO IN CHARGE OF THINK CONTROL OF DETAINEES, THAT WE WERE AUTHORIZED DEADLY FORCE TO CAPTURE THE ESCAPEES. DON'T RECALL NAME.

01529

JUN 12

TAXT MIAST WAS INTENSE. AFTER SHOT FIRED,
THERE WERE STILL ONE DETAINEE NOT ACCOUNTED
FOR. EVERYONE WAS ON ~~EDGE~~ AT A HIGHTEN
ALERT.

PROPERTY

Title 10, United States Code Section 3012 (g)

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1. Code	2. Action Code	3. Date	4. Rel to Case	5. Control	6. Sequence #	7. Year	8. Office - CID	9. ROI #	Offense
---------	----------------	---------	----------------	------------	---------------	---------	--------------------	----------	---------

10. as	11. ID Number	12. Grade/Rank LEPL	13. POB Zip
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14. Race	15. Ethnic	16. Height	17. Weight	18. Record	19. Marital
----------	------------	------------	------------	------------	-------------

20. Job Description/Location	21. MC	22. Security Clr	23. Physical Marks/ Tattoos	24. Spouse Military Yes: <input type="checkbox"/> No: <input type="checkbox"/>	25. Branch
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26. Alias/Nicknames	27. Alias/Nicknames	28. Alias/Nicknames
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29. Organization	30. Unit Phone Number	31. Home	32. Cell/Pager
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33. Sub Unit	34. Fort/City	35. State	36.
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37. Family Rel	38. Last Name	39. First Name	40. Middle Name
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41. Social Security	42. Grade/Rank	43. MC	44. Unit
---------------------	----------------	--------	----------

45. State	46. ZIP/APO	47. Phone: Wk.	48. Hm
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49. Offense Code	50. UFC	51. Offense Code	52. UFC	53. Offense Code	54. UFC	55. Offense Code	56. UFC
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57. none	58. ETS	59. PCS/DEROS	60. Date / Time Interview START: Date: Time:
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61. Date / Time Interview END: Date: Time:

62. Category	63. Type	64. Recovered: Yes: <input type="checkbox"/> No: <input type="checkbox"/>	65. Value	66. Insurer	67. Policy	68. Year/Date Exp
--------------	----------	--	-----------	-------------	------------	-------------------

69. Make	70. Model	71. Vehicle Style	72. # of Doors	73. Color	74. Size
----------	-----------	-------------------	----------------	-----------	----------

75. License Plate	76. State	77. DOD Decal Number
-------------------	-----------	----------------------

ES: @ 1030, 11 APR. INT. @ 0400 notified by detainees
detained 13 of 14. TOOK POSITION AT TOWER 3.
Heard report of from Tower 4 of Activity on area
then heard report of gun shot. BELIEVED INCIDENT
THREAT

(ORM 44-R...Online version

FHTX, 1999

related & maybe detainees had gotten weapon.
MARSHAL SAW detainees low crawling to my
location. Perceived it a threat & fired
into them. Then called it in

01531

000000

Initially.

Had been briefed on ROE. Was of
deadly force for anyone outside
hard site.

Also briefed ~~before~~^{during} shift by SOG.
after returned 13 escapes.

INVESTIGATIVE WORKSHEET

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1 REC CODE A4	2 ACTION CODE 2	3 DATE SUBMITTED 1	4 SEQ NUMBER 5	5 YEAR 4	6 UNIT 2	7 ROI NUMBER 3	8 REL TO CASE 5	9 CONTR. # 1
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INDIVIDUAL DATA

10 SOCIAL SECURITY NUMBER 7C-4, D6-4			11. GRADE K-4, K6-4			12. GRADE CP		
13. GRADE CP			14. GRADE CP			15. GRADE CP		
20 SEX 1	21 RACE 1	22 ETHNIC 1	23 HEIGHT 2	24 WEIGHT 3	25 HAIR COLOR 5	26 EYE COLOR 5	27 CITIZEN 2	28 EDUC 2
29 PRIOR RECORD 1	30 MARITAL 1							
31 MOS 5	32 MCAC 7	33 POSITION 7	34 INDUSTRY 7	35 SECURITY 7	36 PHYSICAL MARKS 40			
37 ALIAS-NICKNAME(S) 20			38 ALIAS-NICKNAME 20			39 ALIAS-NICKNAME 20		
40 ORGANIZATION 3/24 K MARINES			41 IF CONTRACTOR, CONTRACT # 13					
42 MILITARY SVC 4	43 SUBUNIT 2	44 FORT/CITY 18			45 STATE 2	46 COUNTRY 2	47 ZIP CODE/APO 9	
48 ADDRESS 25			49 CITY 18			50 STATE 2	51 COUNTRY 2	52 ZIP CODE/APO 9

FAMILY MEMBER DATA

53 SPO 1	54 FAMILY REL 2	55 SPONSOR LAST NAME 20	56 SPONSOR FIRST NAME 15	57 SPONSOR MIDDLE NAME 15
58 SOCIAL SECURITY NUMBER 9	59 SPON GRADE 7	60 SPON MCAC 2	61 SPONSOR UNIT ADDRESS 14	
62 SPON CITY 18	63 SPON ST 2	64 SPON CT 2	65 SPON ZIP CODE/APO 9	

OFFENSE

66 OFFENSE CODE 5	67 UFC 1	68 OFFENSE CODE 5	69 UFC 1	70 OFFENSE CODE 5	71 UFC 1	72 OFFENSE CODE 5	73 UFC 1
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ADMINISTRATIVE DATA

TELEPHONE #	ETS	PCS/SEC	DATE INTERV START	TIME INTERV START
PLACE OF INTERVIEW START	DATE INTERV END	TIME INTERV END	PLACE OF INTERVIEW END	FINGERPRINT
VEHICLE DATA			DISPOSITION	

CORPORATION DATA

74 CONTRACTOR NUMBER 12	75 FED SERV/PROG # 4	76 CORPORATION NAME 25
77 CORP ADDRESS 25	78 CORP CITY 18	79 CORP ST 2
80 CORP CTY 2	81 CORP ZIP CODE 9	

82 CONTRACT NUMBER

NOTES
<p>Empower them to make timely decisions</p> <p>COMPANY XO</p> <p>0833 Briefed</p> <p>7C-4, D6-4</p> <p>STATED</p> <p>His MARINES TRAINED & EXPECTED TO MAKE DECISION</p> <p>THE</p>



DEPARTMENT OF THE ARMY
22nd Military Police Battalion (CID)
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
CAMP VICTORY, IRAQ, APO AE 09342

REPLY TO
ATTENTION OF:

CIMPL-ZA

26 May 04

MEMORANDUM FOR Commander, USACIDC, Attn: CIOP-COP-OP, 6010 6th St., Fort Belvoir, VA

SUBJECT: Request for Information (RFI 0212-04-CID001)

1. A review of CID Report of Investigation (ROI) 0013-04-CID789-83982 disclosed the investigation was weak in the areas of thoroughness and documentation but strong in timely reporting and timeliness of investigation. Several report writing errors were noted but none that warrant mentioning. Most were corrected through supplemental reports.
2. From a thoroughness perspective, the photographs of the victims and crime scene were not taken consistent with the requirements or protocols of a homicide investigation. An autopsy was not requested based on guidance provided by the Battalion Forensic Science Officer, however, this decision should be explained somewhere in the written report. At a minimum, agents should have conducted a thorough examination of the detainees' remains, and described them in the report. A crime scene examination should have been conducted when hostilities stopped to document the two shooting scenes in the report. An explanation of the lighting conditions, at the time of the shootings and locations, should have been provided in the report. Death certificates for the deceased persons should have been obtained, and included with the report. Lastly, the "shooters" were not titled as subjects, which is inconsistent with Department of Defense guidelines. However, this action was discussed and authorized by battalion supervisory staff.
3. The point of contact is the undersigned at 7C-1, bb-1 *army mil*

7C-1, bb-1

Criminal Intelligence Coordinator

01534

JUN 17

85482

From: *TC-3, 10-3* CW3 MNC-1 22ND MP BN/FSO" *TC-3, 10-3* iraq.centcom.smil.mil>
Add Sender

Sent Tuesday, June 15, 2004 3:44 pm

To: *TC-3, 10-3* @us.army.smil.mil

Subject RE: RE: 0016-04-CID789

Leave it undetermined. If all the leads are complete, close and publish the final supplemental. Did you get a death cert from the doc who declared him? That's something CID CMD is bouncing cases back for. I've got a list of them that are going to be sent back to the field to do exactly that. You've got two of them, 0013-04 and 0040-04, both of them are from riots where detainees were justifiably shot. You'll need to get DC's if they're available, then republish the finals. If not available, publish a final with an AIR documenting the effort to locate them.

Know this is a pain, appreciate the work.

Later,

TC-3, 10-3
CW3, MP
AOPS/FSO
22nd MP BN (CID)
APO AE 09342
DNVT 302.550

-----Original Message-----

From: *TC-3, 10-3* us.army.smil.mil [mailto:*TC-3, 10-3* us.army.smil.mil]
Sent: Tuesday, June 15, 2004 3:28 PM
To: *TC-3, 10-3* CW3 CJTF7-22ND MP BN/FSO
Subject: Re: RE: 0016-04-CID789

Mr *TC-3, 10-3*

Here is the email traffic on the case in question about the Undetermined Death.

All the activity has been completed and now I'm wondering what I should do? Change it back to Natural? Leave it as Undetermined? I figure your the best expert on this one. This occurred right before "they" decided we were going to do autopsies.

This case has one interesting fact it occurred on the day when all of Abu (CID) was getting the new CIF stuff on Camp Victory. I remember this day because *TC-3, 10-3* ked me if I knew anything about this death as we were going to get our CIF.

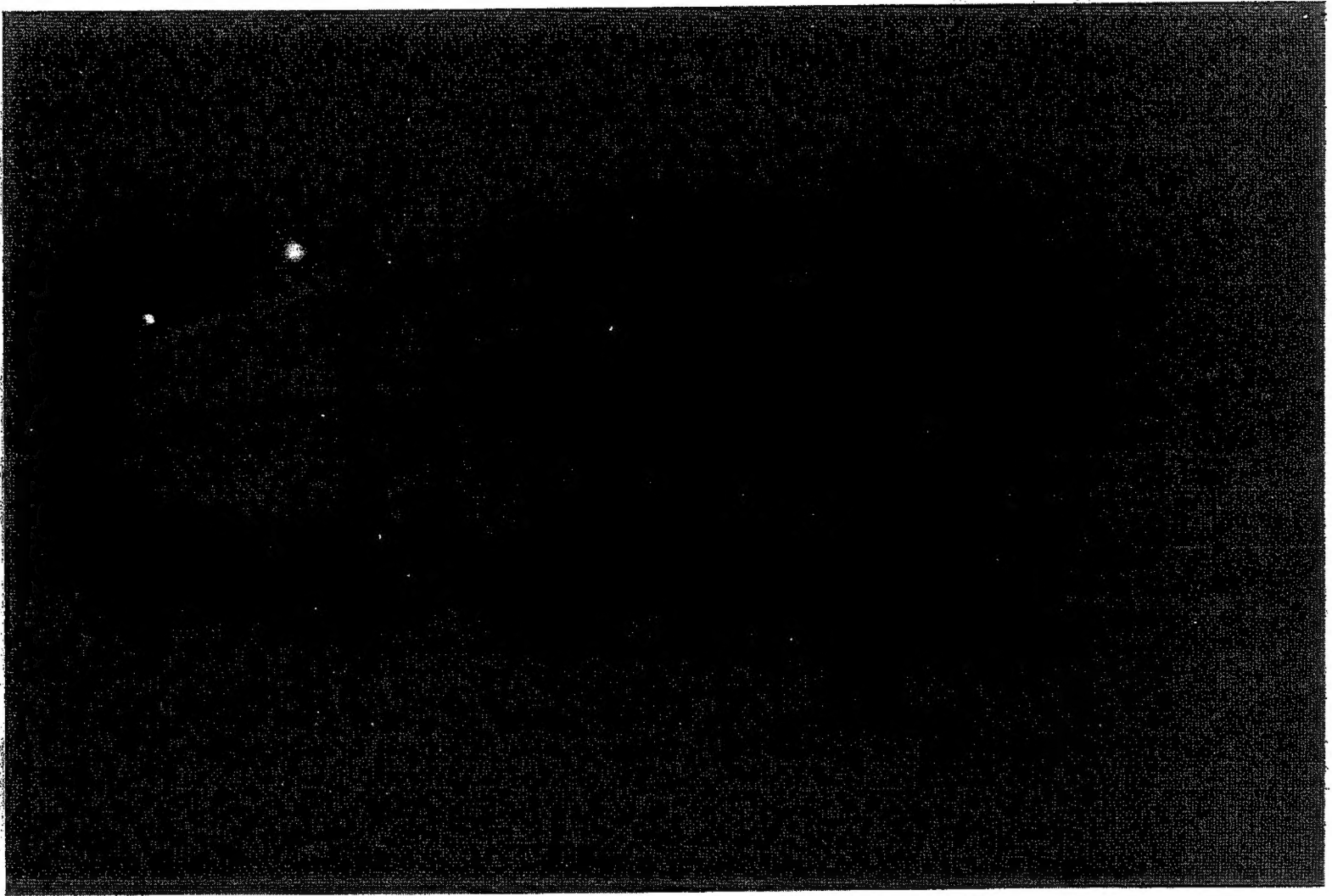
After looking at all the information I think the US military did this guy a great disservice in not treating him properly...then again...I think the US has the means to treat this guy properly. Everyone out here in Abu is short-changed in some capacity. I think the US has the means to treat this guy properly. I think the US has the means to treat this guy properly. I think the US has the means to treat this guy properly.

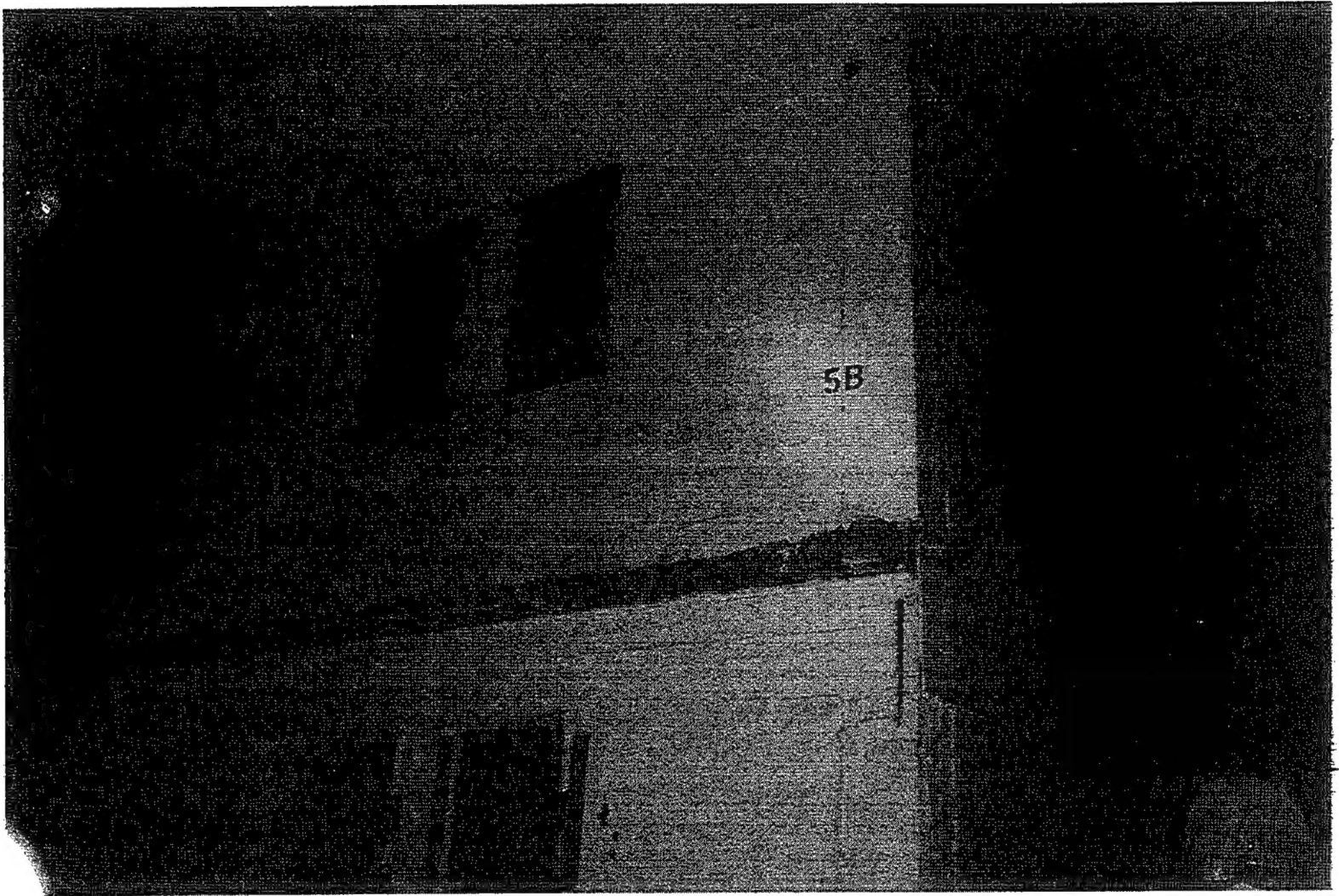
01535
JUN 18

Compact
Disc









01541